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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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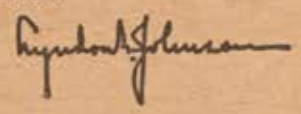
AMENDING EXECUTIVE ORDER NO. 11318, DESIGNATING THE EUROPEAN SPACE RESEARCH ORGANIZATION AS A PUBLIC INTERNATIONAL ORGANIZATION

By virtue of the authority vested in me by sections 1 and 11 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288), as amended by Public Law 89–353 (80 Stat. 5), Executive Order No. 11318 of December 5, 1966, is amended by adding thereto the following paragraph:

"This order shall be effective as of May 31, 1966."



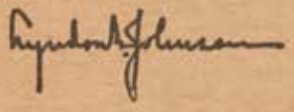
THE WHITE HOUSE,
May 22, 1967.

[F.R. Doc. 67-5819; Filed, May 22, 1967; 2:58 p.m.]

Executive Order 11352

SUSPENDING A PROVISION OF SECTION 5751(b) OF TITLE 10, UNITED STATES CODE, WHICH RELATES TO OFFICERS OF THE MARINE CORPS IN THE GRADE OF LIEUTENANT COLONEL

By virtue of the authority vested in me by section 5785(b) of title 10 of the United States Code, I hereby suspend the provision of section 5751(b) of title 10 of the United States Code which relates to the service-in-grade requirement for officers of the Marine Corps in the grade of lieutenant colonel for eligibility for consideration by a selection board for promotion to the next higher grade.



THE WHITE HOUSE,
May 22, 1967.

[F.R. Doc. 67-5872; Filed, May 23, 1967; 11:29 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Standards for Grades

In accordance with the provisions of section 3(a) of the Administrative Procedure Act (P.L. 89-487, July 4, 1966), the existing U.S. Standards for Grades of the products included in this document are hereby codified without substantive change.

Compliance with the provisions of the standards set forth in this part shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act (or with applicable State laws and regulations).

The following subparts are added to Part 52:

Subpart—U.S. Standards for Grades of Comb Honey

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Subpart—U.S. Standards for Grades of Comb Honey [1]

PRODUCT DESCRIPTION

§ 52.2861 Product description.

The grades in this subpart, as hereinafter outlined, are for the following variations of comb honey:

Comb-section honey.
Shallow-frame comb honey.
Wrapped cut-comb honey.
Chunk or bulk comb honey.

GRADES OF COMB-SECTION HONEY

§ 52.2862 U.S. Fancy comb-section honey.

U.S. Fancy honey shall consist of comb-section honey that meets the following requirements:

(a) The comb shall—

(1) Have no uncapped cells except in the row attached to the wood section;

(2) Be attached to 75 percent of the adjacent area of the wood section if the outside row of cells is empty, or attached to 50 percent if the outside row is filled with honey;

(3) Not project beyond the edge of the wood section;

(4) Not have dry holes;

(5) Have not more than a total of 2½ linear inches of through holes;

(6) Be free from cells of pollen.

(b) The cappings shall—

(1) Be dry and free from weeping and from damage caused by bruising or other means.

(2) Present a uniformly even appearance except in the row attached to the wood section.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for this grade in the official color chart.

(d) The honey shall—

(1) Be uniform in color throughout the comb.

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

(e) The wood section shall—

(1) Be as free from excessive propolis and/or pronounced stains as illustration A in the official color chart.

(2) Be smooth and new in appearance, of white to light buff basswood, and shall not contain knots and/or streaks in excess of the amount shown in illustration B in the color chart.

(f) The minimum net weight shall be 12 ounces, unless otherwise specified.

§ 52.2863 U.S. No. 1 comb-section honey.

U.S. No. 1 honey shall consist of comb-section honey that meets the following requirements:

(a) The comb shall—

(1) Have no uncapped cells except—

(i) In the row attached to the wood section, and/or

(ii) In the row adjoining the outside row, in the corners, and along the lower edge, provided the number does not exceed 15 in a comb section.

(2) Be attached to 50 percent of the adjacent area of the wood section;

(3) Not project beyond the edge of the wood section;

(4) Have no dry holes;

(5) Have not more than a total of 4 linear inches of through holes;

(6) Be free from cells of pollen.

(b) The cappings shall—

(1) Be dry and free from weeping and from damage caused by bruising or other means;

(2) Present a uniformly even appearance except in the row attached to the wood section and except for slight irregularities affecting not to exceed one-half of the comb surface.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for this grade in the official color chart.

(d) The honey shall—

(1) Be fairly uniform in color throughout the comb;

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

(e) The wood section shall—

(1) Be as free from excessive propolis and/or pronounced stains as illustration A in the official color chart;

(2) Be smooth and new in appearance, of white to light buff basswood, and shall not contain knots and/or streaks in excess of the amount shown in illustration B in the color chart.

(f) The minimum net weight shall be 11 ounces, unless otherwise specified.

[1] This is a reissue (with slight modifications in wording, arrangement, and format) of the U.S. Standards for Grades of Comb Honey, Circular No. 24, as revised, of the U.S. Department of Agriculture. That circular, revised Aug. 1933, is out of print.

§ 52.2864 U.S. No. 1 Mixed Color comb-section honey.

When sections of U.S. No. 1 comb-section honey of different colors are packed in the same container, they shall be designated as U.S. No. 1 Mixed Color comb-section honey.

§ 52.2865 U.S. No. 2 comb-section honey.

U.S. No. 2 honey shall consist of comb-section honey that meets the following requirements:

(a) The comb shall—

(1) Have no uncapped cells except—

(i) In the row attached to the wood section, and/or

(ii) In the row adjoining the outside row, in the corners, and along the lower edge; provided the number does not exceed 30 in a comb section;

(iii) Elsewhere in the body of the comb, not more than 5; of the total number of uncapped cells exclusive of those in the outside row, not more than 20 may be empty;

(2) Be attached to 50 percent of the adjacent area of the wood section;

(3) Not project beyond the edge of the wood section;

(4) Have no dry holes larger than three-eighths inch across if more than 1⅜ inches from the wood section;

(5) Have not more than a total of 6 linear inches of through holes;

(6) Be free from serious damage caused by cells of pollen.

(b) The cappings shall—

(1) Not be badly bruised, marred, or leaking (small holes cut in cappings or small broken surfaces permitted);

(2) Have no requirements as to uniformly even appearance.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for this grade in the official color chart.

(d) The honey shall—

(1) Have no requirements as to uniformity in color in any of the comb sections;

(2) Be free from serious damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

(e) The wood section shall—

(1) Be as free from excessive propolis and/or pronounced stains as illustration A in the official color chart;

(2) Be new in appearance, unless otherwise specified.

(f) The minimum net weight shall be 10 ounces, unless otherwise specified.

§ 52.2866 Unclassified comb-section honey.

Unclassified comb-section honey shall consist of comb-section honey that does not conform to the requirements for any of the foregoing grades.

GRADES FOR SHALLOW-FRAME COMB HONEY

§ 52.2867 U.S. Fancy shallow-frame comb honey.

U.S. Fancy honey shall consist of shallow-frame comb honey that meets the following requirements:

(a) The comb shall—

(1) Be produced in shallow frame spaced 1⅜ inches from center to center, which will give a comb thickness of not less than 1 inch, unless otherwise specified;

(2) Be drawn out on foundation which is light in color and is thin enough to produce a comb that compares favorably in texture with the comb in comb-section honey;

(3) Be well built out;

(4) Never have contained brood;

(5) Have no dry holes;

(6) Have no uncapped cells, except as follows—

(i) Empty cells in the row attached to the frame, and/or

(ii) 150 uncapped cells filled with well-ripened honey in the adjoining row;

(7) Be free from cells of pollen.

(b) The cappings shall—

(1) Not be broken or damaged by other means;

(2) Present a uniformly even appearance.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for U.S. Fancy comb-section honey in the official color chart.

(d) The honey shall—

(1) Be uniform in color throughout the combs of the lot, unless otherwise specified;

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

§ 52.2868 U.S. No. 1 shallow-frame comb honey.

U.S. No. 1 honey shall consist of shallow-frame comb honey that meets the following requirements:

(a) The comb shall—

(1) Be produced in shallow frames spaced 1⅜ inches from center to center, which will give a comb thickness of not less than 1 inch, unless otherwise specified;

(2) Be drawn out on foundation which is light in color and is thin enough to produce a comb that compares favorably in texture with the comb in comb-section honey;

(3) Never have contained brood;

(4) Have no uncapped cells, except as follows—

(i) Empty cells in the row attached to the frame and in the adjoining row, and/or

(ii) Additional uncapped filled cells, provided they are confined to groups and in the aggregate do not cover over 10 percent of the comb surface in any frame;

(5) Be free from damage caused by cells of pollen.

(b) The cappings shall—

(1) Be free from serious damage caused by being broken or by other means;

(2) Present a uniformly even appearance except for slight irregularities affecting not to exceed one-half of the comb surface.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for U.S. No. 1 comb-section honey in the official color chart.

(d) The honey shall—

(1) Be fairly uniform in color throughout the comb;

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

§ 52.2869 Unclassified shallow-frame comb honey.

Unclassified shallow-frame comb honey shall consist of shallow-frame comb honey that does not conform to the requirements for either of the foregoing grades.

GRADES FOR WRAPPED CUT-COMB HONEY

§ 52.2870 U.S. Fancy wrapped cut-comb honey.

U.S. Fancy honey shall consist of wrapped cut-comb honey that meets the following requirements:

(a) The comb shall—

(1) Be drawn out on foundation that is light in color and is thin enough to produce a comb that compares favorably in texture with the comb in comb-section honey;

(2) Have no uncapped cells except on the cut edges;

(3) Never have contained brood;

(4) Have no dry holes;

(5) Be free from cells of pollen.

(b) The cappings shall—

(1) Be free from weeping and from damage caused by bruising or other means;

(2) Present a uniformly even appearance.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for U.S. Fancy comb-section honey in the official color chart.

(d) The honey shall—

(1) Be uniform in color throughout the comb;

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

(e) The wrapper shall be transparent, clean, and sealed in such a manner as to prevent leakage.

(f) The minimum net weight shall be 12 ounces, unless otherwise specified.

§ 52.2871 U.S. No. 1 wrapped cut-comb honey.

U.S. No. 1 honey shall consist of wraped cut-comb honey that meets the following requirements:

(a) The comb shall—

(1) Be drawn out on foundation that is light in color and is thin enough to produce a comb that compares favorably in texture with the comb in comb-section honey;

(2) Have no uncapped cells, except as follows—

(i) On the cut edges, and/or

(ii) In the row adjoining the cut edge, provided the number does not exceed 15 in a cut comb;

(3) Never have contained brood;

(4) Have no dry holes;

(5) Be free from cells of pollen.

(b) The cappings shall—

(1) Be free from weeping and from damage caused by bruising or other means;

(2) Present a uniformly even appearance except for slight irregularities affecting not to exceed one-half of the comb surface.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for U.S. No. 1 comb-section honey in the official color chart.

(d) The honey shall—

(1) Be fairly uniform in color throughout the comb;

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

(e) The wrapper shall be transparent, clean, and sealed in such a manner as to prevent leakage.

(f) The minimum net weight shall be 11 ounces, unless otherwise specified.

§ 52.2872 Unclassified wrapped cut-comb honey.

Unclassified wrapped cut-comb honey shall consist of cut-comb honey which does not conform to the requirements for either of the foregoing grades.

GRADES FOR CHUNK OR BULK COMB HONEY

§ 52.2873 U.S. Fancy chunk or bulk comb honey—packed in tin.

U.S. Fancy chunk or bulk comb honey packed in tin shall consist of not less than 50 percent by volume of chunk or bulk comb honey, unless otherwise specified, which meets the following requirements:

(a) The comb shall—

(1) Be drawn out on foundation that is light in color and is thin enough to produce a comb that compares favorably in texture with the comb in comb-section honey;

(2) Have not more than one uncapped cell per square inch of comb surface;

(3) Never have contained brood;

(4) Have no dry holes;

(5) Be free from cells of pollen.

(b) The cappings shall—

(1) Be free from damage caused by bruising or other means;

(2) Present a uniformly even appearance.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for U.S. Fancy comb-section honey in the official color chart, except that any amount of watery cappings shall be permitted.

(d) The honey shall—

(1) Be uniform in color throughout the comb and the color of the honey in the comb shall not be darker than the next darker color classification of the extracted honey used to make up the total weight.

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

(e) The total weight shall be made up with U.S. Fancy extracted honey.

(f) The color of the honey within the container shall be designated according to the color of the extracted honey used to make up the total weight.

§ 52.2874 U.S. No. 1 chunk or bulk comb honey—packed in tin.

U.S. No. 1 chunk or bulk comb honey packed in tin shall consist of not less than 50 percent by volume of chunk or bulk comb honey, unless otherwise specified, which meets the following requirements:

(a) The comb shall—

(1) Be drawn out on foundation that is light in color and is thin enough to produce a comb that compares favorably in texture with the comb in comb-section honey;

(2) Have not more than two uncapped cells per square inch of comb surface;

(3) Never have contained brood;

(4) Have no dry holes;

(5) Be free from cells of pollen.

(b) The cappings shall—

(1) Be free from damage caused by bruising or other means;

(2) Present a uniformly even appearance except for slight irregularities affecting not to exceed one-half of the comb surface.

(c) The color of the comb and cappings shall conform to the requirements as illustrated for U.S. No. 1 comb-section honey in the official color chart, except that any amount of watery cappings shall be permitted.

(d) The honey shall—

(1) Be fairly uniform in color throughout the comb and the color of the honey in the comb shall not be darker than the next darker color classification of the extracted honey used to make up the total weight;

(2) Be free from damage caused by granulation, honeydew, poorly ripened or sour honey, objectionable flavor or odor, or other means.

(e) The total weight shall be made up with U.S. Fancy extracted honey.

(f) The color of the honey within the container shall be designated according to the color of the extracted honey used to make up the total weight.

§ 52.2875 Unclassified chunk or bulk comb honey—packed in tin.

"Unclassified" chunk or bulk comb honey packed in tin shall consist of chunk or bulk comb honey that does not conform to the requirements of any of the foregoing grades.

§ 52.2876 U.S. Fancy chunk or bulk comb honey—packed in glass.

"U.S. Fancy" chunk or bulk comb honey packed in glass shall consist of chunk or bulk comb honey that conforms to the requirements for this grade when packed in tin, except that no given volume of chunk or bulk comb honey is required.

§ 52.2877 U.S. No. 1 chunk or bulk comb honey—packed in glass.

"U.S. No. 1" chunk or bulk comb honey packed in glass shall consist of chunk or bulk comb honey that conforms to the requirements for this grade when packed in tin, except that no given volume of chunk or bulk comb honey is required.

§ 52.2878 Unclassified chunk or bulk comb honey—packed in glass.

"Unclassified" chunk or bulk comb honey packed in glass shall consist of chunk or bulk comb honey that does not conform to the requirements of any of the foregoing grades.

TOLERANCES FOR GRADES

§ 52.2879 Application of tolerances.

The tolerances specified for the various grades are placed on a container basis. However, any lot of honey shall be considered as meeting the requirements of a specified grade if no sample from the containers in any lot is found to exceed the tolerances specified by more than double the amount allowed, provided the entire lot shall average within the tolerance specified.

§ 52.2880 Tolerances for comb-section honey.

(a) *U.S. Fancy, U.S. No. 1, and U.S. No. 1 Mixed Color.* (1) In order to allow for variations, other than in weight, incident to proper grading and handling, not more than 5 percent, by count, of the comb sections in any container may be below the requirements for the grade, but not to exceed two-fifths of this tolerance, or 2 percent of the comb sections in any container, shall be allowed for defects causing serious damage.

(2) In addition to the foregoing tolerance, not more than 5 percent, by count, of the comb sections in any container may fail to meet the weight requirements.

(b) *U.S. No. 2.* (1) In order to allow for variations, other than in weight, incident to proper grading and handling, not more than 5 percent, by count, of the comb sections in any container may be below the requirements for the grade.

(2) In addition to the foregoing tolerance, not more than 5 percent, by count, of the comb sections in any container may fail to meet the weight requirements.

§ 52.2881 Tolerances for shallow-frame comb honey.

(a) *U.S. Fancy and U.S. No. 1.* (1) In order to allow for variations, other than in weight, incident to proper grading and handling, not more than 5 percent, by count, of the frames of honey in any container may be below the requirements for the grade, but not to exceed two-fifths of this number, or 2 percent of the frames in any container, shall be allowed for defects causing serious damage.

(2) In addition to the foregoing tolerance, a variation of not more than 5 percent below the net weight marked on the cases shall be permitted.

§ 52.2882 Tolerances for wrapped cut-comb honey.

(a) *U.S. Fancy and U.S. No. 1.* (1) In order to allow for variations, other than in weight, incident to proper grading and handling, not more than 5 percent, by count, of the wrapped cut combs in any container may be below the requirements for the grade, but not to exceed two-fifths of this tolerance, or 2 percent of the

wrapped cut combs in any container, shall be allowed for defects causing serious damage.

(2) In addition to the foregoing tolerance, not more than 5 percent, by count, of the wrapped cut combs in any container may fail to meet the weight requirements.

§ 52.2883 Tolerances for chunk or bulk comb honey—packed in tin.

(a) *U.S. Fancy and U.S. No. 1.* In order to allow for variations incident to proper grading and handling, not more than 5 percent, by count, of the containers in any lot may have honey below the requirements for the grade.

§ 52.2884 Tolerances for chunk or bulk comb honey—packed in glass.

(a) *U.S. Fancy and U.S. No. 1.* In order to allow for variations incident to proper grading and handling, not more than 5 percent, by count, of the containers in any lot may have honey below the requirements for the grade.

COLORS, COLOR CLASSIFICATIONS

§ 52.2885 Official USDA colors.

(a) *Official color chart.* The official color chart mentioned throughout this subpart is out of print and no longer available.

(b) *USDA glass color standards.* These color standards replace the "official color chart" which is out of print. Information regarding the USDA glass color standards, and their availability, may be obtained from:

Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

§ 52.2886 Color classifications of comb honey.

(a) Comb-section honey, shallow-frame comb honey, and wrapped cut-comb honey shall be classified as white, light amber, amber, or dark amber.

(b) The foregoing color classification shall be determined in accordance with the color standards as outlined in the applicable U.S. Standards for Grades of Extracted Honey, but the color shall be designated as follows:

(1) Honey classed as water white, extra white, and white for extracted honey shall be designated white comb honey;

(2) Honey classed as extra light amber and light amber shall be designated light amber comb honey;

(3) Honey classed as amber shall be designated amber comb honey;

(4) Honey that is darker than amber shall be designated dark amber comb honey.

(c) In classifying the color of comb honey, a sample of liquid honey shall be drained from a broken comb and the determination made according to the color standards for extracted honey as outlined in the applicable U.S. Standards for Grades of Extracted Honey.

(d) It is permissible to state the color of the honey contained in the comb in conformity with the colors established for the classification of the color of extracted honey.

§ 52.2887 Uniformity of color.

(a) "Uniform in color" means that no pronounced variation in color is apparent in the honey on looking through a comb toward the light.

(b) "Fairly uniform in color" means that honey of a slightly different color from that in the body of the comb section is permitted in the row next to the section and in 10 additional cells, provided these additional cells are well distributed and are in the row adjoining the outside row. In no event shall the contrast of color be greater than that between any color classification and the darker color classification.

DEFINITIONS OF TERMS

§ 52.2888 Definitions of terms.

(a) "Damage" means any injury or defect that materially affects the appearance, edibility, or shipping quality of the honey, such as:

(1) The presence of any cells, of pollen in more than one-third of the combs in any lot of U.S. No. 1 shallow-frame comb honey. One-third of the combs may have not more than 50 cells of pollen in a comb, provided they are not widely scattered but are on the outside edges of the comb.

(2) The presence in comb-section honey, shallow-frame comb honey, wrapped cut-comb honey, or chunk or bulk comb honey packed in tin or glass, of more than 10 percent by volume of granulated honey in the uncapped cells, or of more than very small or scattered granules in the capped cells.

(3) The presence of any spots of feces (bee excrement) on the comb.

(b) "Serious damage" means any injury or defect that seriously affects the edibility or shipping quality of the honey. Any spots of feces on the surface of the comb or, in sections, attachment of comb to less than 45 percent of the adjacent area shall be considered serious damage.

(c) "Uncapped cells" or cells, either empty or filled with honey, which are not sealed or capped over by the bees.

(d) "Adjacent area of the section" means the total length of the four inner sides of the section, multiplied by the thickness of the comb; as, for instance, in the case of a section 4¼ inches square, 4+4+4+4 equals 16, which, multiplied by the actual thickness of the comb, which might be 1¼ inches, gives an adjacent area of 20 square inches.

(e) "Project beyond the edge of the section" refers to the projection of comb beyond the widest part of the section, generally because no separators were used, and does not refer to the occasional slight projection of wax beyond the narrow or beeway part of the section. Projection at this point to such an extent that honey leaks down over the face of the comb is not permitted.

(f) "Dry holes" are holes in the honeycomb larger than a cell, and not next to the wood; they may extend partly or entirely through the comb.

(g) "Through holes" are holes or passages through the comb from one side of the comb to the other, between the edge of the comb and the section.

(h) "Weeping" is the exudation or seepage of honey through the cappings, forming small drops which finally run down the face of the comb. It is usually caused by absorption of moisture from the atmosphere by the honey.

(i) "Bruising" is any injury by accident or pressure, such as an indentation of the surface of the comb by pressure of fingers. Bruising is considered to be damage if it is sufficient to cause leaking.

(j) "Uniformly even appearance" means that the surface of the combs shall be free from irregularities other than those incident to the work of the bees in completing a comb of uniform construction.

(k) "Slight irregularities" means irregularities of not more than one-eighth inch above or below the general surface of the comb, but not projecting beyond the edge of the section. The slight ridging of comb surface sometimes incidental to the use of fence separators is not to be considered an irregularity.

(l) "Freedom from excessive propolis and/or pronounced stains" means that the top of the wood section shall bear no greater stain from propolis than that ordinarily found on a paraffined section, and that the other three sides and the edges and inner faces and angles of the wood sections shall be reasonably free from propolis. Permissible stain is shown in the color chart.[3]

(m) "New in appearance" means not discolored by age or exposure. Paraffined sections usually appear new, even though they may be left over from a previous season.

(n) "Well built out," as used in reference to shallow-frame comb honey, means that the combs are fairly uniform in thickness throughout each comb and throughout the lot.

Subpart—U.S. Standards for Grades of Bulk Sauerkraut

PRODUCT DESCRIPTION, GRADES

Subpart—U.S. Standards for Grades of Bulk Sauerkraut

PRODUCT DESCRIPTION, GRADES

§ 52.3451 Product description.

Bulk or barreled sauerkraut, hereinafter referred to as "sauerkraut" or "bulk

[3] See § 52.2885.

sauerkraut" is the product of characteristic acid flavor, obtained by the full fermentation, chiefly lactic, of properly prepared and shredded cabbage in the presence of not less than 2 percent nor more than 3 percent of salt. It contains, upon completion of the fermentation, not less than 1.5 percent of acid, expressed as lactic acid.

§ 52.3452 Grades of bulk sauerkraut.

(a) "U.S. Grade A (First Quality)" bulk sauerkraut is of a color approximating, or is lighter than "Olive Buff" (according to Ridgway's "Color Standards and Nomenclature"), with the shreds uniformly cut to approximately 1/32-inch in thickness. The product is practically free from defects and blemishes; is of fine, crisp texture; possesses a normal, well developed, sauerkraut flavor; and scores not less than 85 points when scored according to the scoring system outlined herein.

(b) "U.S. Grade C (Second Quality)" bulk sauerkraut may have a variable straw color, but not darker than "Dark Olive Buff" (according to Ridgway's "Color Standards and Nomenclature"); the shreds may lack uniformity of thickness. The product is reasonably free from defects and blemishes; is of reasonably fine, crisp texture; possesses a normal sauerkraut flavor; and scores not less than 70 points and need not score more than 84 points when scored according to the scoring system outlined herein.

(c) "Substandard" bulk sauerkraut is sauerkraut that fails to meet the requirements of the foregoing grades or when any one of the grading factors falls in the (D) classification.

FACTORS OF QUALITY

§ 52.3453 Ascertaining the grade.

The grade of bulk sauerkraut may be ascertained by considering, in addition to the requirements in the definition, the following factors: Color, cut, absence of defects, texture, and flavor. The relative importance of each element has been expressed numerically on a scale of 100. The maximum number of credits that may be given for each factor is:

	Points
Color	15
Cut	15
Absence of defects	10
Texture	15
Flavor	45
Total score	100

§ 52.3454 Ascertaining the rating of each factor.

The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical ranges within each factor are inclusive. For instance, the range 13 to 15 means 13, 14, and 15.

§ 52.3455 Color.

(a) (*A*) *classification.* Sauerkraut that possesses a color approximating, or is lighter than "Olive Buff" (according to Ridgway's "Color Standards and Nomenclature"), may be given a credit of 13 to 15 points.

(b) (*C*) *classification.* If the sauerkraut possesses a color ranging from "Olive Buff" to (but not darker than) "Dark Olive Buff", or is slightly greenish or yellowish, or possesses a tint of light brown, a credit of 10 to 12 points may be allowed. Sauerkraut that falls in this classification shall not be graded above U.S. Grade C (Second Quality), regardless of the total score for the product.

(c) (*D*) *classification.* If the sauerkraut possesses a decidedly dark, or pink tinted color, a credit within the range of zero to nine points may be allowed.

§ 52.3456 Cut.

(a) (*A*) *classification.* If the shreds of sauerkraut are uniformly cut to approximately 1/32-inch in thickness and are of a reasonable length, a credit of 13 to 15 points may be allowed.

(b) (*C*) *classification.* If the cut is very irregular, the shreds being "choppy" and poorly cut, a credit of 10 to 12 points may may be allowed. Sauerkraut that falls in this classification may not be graded above U.S. Grade C (Second Quality), regardless of the total score for the product.

(c) (*D*) *classification.* Sauerkraut that is very uneven in cut, containing decidedly thick or short shreds, may be given a credit of not more than nine points.

§ 52.3457 Absence of defects.

(a) *General.* The factor of absence of defects refers to defects such as large pieces of leaves, dead leaves, large pieces of core, spotted shreds, or other defects.

(b) (*A*) *classification.* Sauerkraut that is practically free from the defects mentioned may be given a credit of nine to 10 points.

(c) (*C*) *classification.* If the product is reasonably free from the defects mentioned, a credit of six to eight points may be allowed. Sauerkraut that falls in this classification shall not be graded above U.S. Grade C (Second Quality), regardless of the total score for the product.

(d) (*D*) *classification.* If pieces of dead leaves, large pieces of core, spotted shreds, or any similar blemishes are prominently present to the extent of injuring the appearance of the product, a credit within the range of zero to five points may be allowed.

§ 52.3458 Texture.

(a) *General.* The factor of texture refers to the condition of the product and the tendency of the shreds to be firm, fresh, crisp, and easy to cut, as contradistinguished to soft or mushy.

(b) (*A*) *classification.* Sauerkraut that is firm and crisp may be given a credit of 13 to 15 points.

(c) (*C*) *classification.* If the product is somewhat tough, or is slightly soft, a credit of 10 to 12 points may be allowed. Sauerkraut that falls in this classification shall not be graded above U.S. Grade C (Second Quality), regardless of the total score for the product.

(d) (*D*) *classification.* If the sauerkraut is tough, or contrariwise, is soft and mushy, a credit within the range of zero to nine points may be allowed.

§ 52.3459 Flavor.

(a) (*A*) *classification.* Sauerkraut that has a highly acid (expressed as lactic), palatable, clean, characteristic sauerkraut flavor, may be given a credit of 40 to 45 points.

(b) (*C*) *classification.* If the product possesses a good sauerkraut flavor that may be suggestive of improper bacterial action, but not markedly so, it may be given a credit of 34 to 39 points. Sauerkraut that falls in this classification shall not be graded above U.S. Grade C (Second Quality), regardless of the total score for the product.

(c) (*D*) *classification.* If the flavor is poor and unpalatable from any cause (acetic, butyric, yeasty, moldy, very salty, bitter stale, or rancid), a credit within the range of zero to 33 points may be allowed.

METHODS OF ANALYSIS

§ 52.3460 Determination of acidity.

The method of titration used to determine the degree of lactic acidity in sauerkraut is as follows: Place 10 cc. of sauerkraut juice in a flask, add 40 cc. of distilled water (hydrant water contains large quantities of alkaline salts which tend to neutralize the sauerkraut acid before titration takes place). Shake the flask to mix thoroughly the sauerkraut juice and water. Add three or four drops of phenolphthalein solution. Into this mixture slowly run, drop by drop, from a burette graduated in 1/10 cc. and filled with 1/9 normal solution of sodium hydroxide, enough of the sodium hydroxide to bring a permanent pink tint to the sauerkraut juice solution, shaking the flask as the sodium hydroxide is added. As soon as the pink tint becomes permanent (at first it will fade away), note the amount of the hydroxide used, divide this number by 10, and the result is a number which is the percentage of lactic acid in the sauerkraut juice.

LOT COMPLIANCE

§ 52.3461 Ascertaining the grade of a lot.

The grade of a lot of bulk sauerkraut covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 to 52.87).

SCORE SHEET

§ 52.3462 Score sheet for bulk sauerkraut.

Identification marks on packages				
Net weight as indicated on package				
Percent acid				
Factors	Maximum score	Points allowable		
Color	15	(A) 13-15 (C) [1] 10-12 (D) [2] 0-9		
Cut	15	(A) 13-15 (C) [1] 10-12 (D) [2] 0-9		
Absence of defects	10	(A) 9-10 (C) [1] 6-8 (D) [2] 0-5		
Texture	15	(A) 13-15 (C) [1] 10-12 (D) [2] 0-9		
Flavor	35	(A) 40-45 (C) [1] 34-39 (D) [2] 0-33		
Total Score	100			
Grade				

[1] Sauerkraut that falls in this classification may not be graded above U.S. Grade C (Second Quality).
[2] Sauerkraut that falls in this classification may not be graded above Substandard.

Subpart—U.S. Standards for Grades of Canned Dried Prunes

PRODUCT DESCRIPTION, TYPES AND VARIETIES, GRADES

Sec.
52.5601 Product description.
52.5602 Types and varieties of canned dried prunes.
52.5603 Grades of canned dried prunes.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, COUNTS

52.5604 Sirup density.
52.5605 Recommended fill of container.
52.5606 Recommended minimum drained weights.
52.5607 Count of prunes.

FACTORS OF QUALITY

52.5608 Ascertaining the grade.
52.5609 Ascertaining the rating of each factor.
52.5610 Color.
52.5611 Uniformity of size.
52.5612 Absence of defects.
52.5613 Character of fruit.

EXPLANATION OF TERMS

52.5614 Explanation of terms.

LOT COMPLIANCE

52.5615 Ascertaining the grade of a lot.

SCORE SHEET

52.5616 Score sheet for canned dried prunes.

Subpart—U.S. Standards for Grades of Canned Dried Prunes

PRODUCT DESCRIPTION, TYPES AND VARIETIES, GRADES

§ 52.5601 Product description.

Canned dried prunes are the whole, ripe fruit of the plum tree (Prunus domestica) from which the greater portion of moisture was removed and which are subsequently processed, usually by rehydration in boiling water or steam; by packing with or without the addition of sirup, sugar, or a liquid medium; with or without the addition of a slight amount of edible acid; with or without the addition of a seasoning ingredient, and are sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

§ 52.5602 Types and varieties of canned dried prunes.

(a) "Sweet types" include such varieties as French, Imperials, Sugar, and Robe de Sergeant varieties.

(b) "Tart type" includes the Italian variety.

§ 52.5603 Grades of canned dried prunes.

(a) "U.S. Grade A" or "U.S. Fancy" canned dried prunes are dried prunes of similar varietal characteristics which possess a normal flavor and are of such quality with respect to color, uniformity of size, absence of defects, and character of fruit as to score not less than 90 points when scored in accordance with the scoring system outlined herein.

(b) "U.S. Grade B" or "U.S. Choice" canned dried prunes are dried prunes of similar varietal characteristics which possess a reasonably uniform typical color; are reasonably free from defects; possess a reasonably good, tender, fleshy texture; possess a normal flavor; and are of such quality with respect to uniformity of size as to score not less than 75 points when scored in accordance with the scoring system outlined herein.

(c) "U.S. Grade C" or "U.S. Standard" canned dried prunes are dried prunes which possess a fairly uniform, fairly good typical color; are fairly free from defects; possess a fairly good texture; possess a normal flavor; and are of such quality with respect to uniformity of size as to score not less than 60 points when scored in accordance with the scoring system outlined herein.

(d) "U.S. Grade D" or "Substandard" canned dried prunes are dried prunes that are wholesome and edible but fail to meet the requirements of U.S. Grade C or U.S. Standard.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, COUNTS

§ 52.5604 Sirup density.

(a) Canned dried prunes are usually packed in sirup, or other packing medium. Sirup "cut-out" requirements, however, are not incorporated in the grades of the finished product as sirup, as such, is not a factor of quality for the purpose of these grades.

(b) Canned dried prunes will be certified as to grade without regard to sirup density, but in each instance Federal inspection certificates will indicate the density of the sirup found upon examination. When samples are officially drawn, the designation of sirup will be based upon the average sirup density of all containers examined, provided the range of variability is within the limits of good packing practice. For this purpose—

(1) "Extra heavy sirup" means that the sirup tests 30° or more Brix.

(2) "Heavy sirup" means that the sirup tests 24° to 30° Brix.

(3) "Light sirup" means that the sirup tests 18° to 24° Brix.

(4) Sirup that tests less than 18° Brix is considered "Water pack."

§ 52.5605 Recommended fill of container.

The container shall be filled with dried prunes as full as practicable without impairment of quality. The product and packing medium occupies not less than 90 percent of the total volume capacity of the container.

§ 52.5606 Recommended minimum drained weights.

(a) Drained weights of canned dried prunes are determined by emptying the contents of the container upon a circular sieve of proper diameter, containing eight meshes to the inch (0.097-inch perforations) and allowing to drain for 2 minutes. A sieve 8 inches in diameter is used for No. 2½ size containers and smaller, and a sieve 12 inches in diameter is used for containers larger than No. 2½ size.

(b) The recommended minimum drained weights in the containers commonly used in packing canned dried prunes are shown in the following table:

Container size or name	Recommended drained weight		
	Metal containers		Glass containers
	Regular pack	Heavy pack	Regular pack
8-oz.	5½ oz.		
No. 1 Tall	10¾ oz.		
No. 2	13 oz.		
No. 2½	19 oz.	29 oz.	18 oz.
No. 10	70 oz.	110 oz.	

(c) Canned dried prunes that meet the recommended drained weight requirements for "Heavy Pack" will be certified as "Heavy Pack" in addition to the grade statement.

(d) When certifying samples which have been officially drawn from lots of canned dried prunes, compliance of the entire sample with recommended minimum drained weights will be determined by averaging the drained weights of all containers in the sample, provided the range of variability is within the limits of good packing practice. If the average thus obtained is not less than the recommended drained weight shown in the foregoing table, the samples will be certified without exception.

(e) Except as provided above, containers of dried prunes that fall below the recommended minimum drained weight will be certified with the additional statement: "Below recommended minimum drained weight."

§ 52.5607 Count of prunes.

Federal inspection certificates will indicate the count of prunes found upon examination.

FACTORS OF QUALITY

§ 52.5608 Ascertaining the grade.

The grade of canned dried prunes may be ascertained by considering, in addition to the foregoing requirements, the following factors: Color, uniformity of

size, absence of defects, and character of fruit. The relative importance of each factor has been expressed numerically on a scale of 100. The maximum number of points that may be given for each factor is:

	Points
Color	20
Uniformity of size	15
Absence of defects	30
Character of fruit	35
Total score	100

§ 52.5609 Ascertaining the rating of each factor.

The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical ranges within each factor are inclusive. For example, the range 18 to 20 means 18, 19, and 20.

§ 52.5610 Color.

(a) (*A*) *Classification.* Canned dried prunes that possess a practically uniform, typical color may be given a score of 18 to 20 points. "Practically uniform, typical color" means that the color of the skins of the prunes is typical and may be black, blue black, or reddish brown; and that not more than 5 percent by count of the prunes may possess a dull chocolate brown surface color or may possess abnormal darkening of the flesh due to caramelization or fermentation.

(b) (*B*) *Classification.* If the canned dried prunes possess a reasonably uniform, typical color, a score of 15 to 17 points may be given. "Reasonably uniform, typical color" means that the color of the skins of the prunes is typical and may be black, blue black, or reddish brown; and that not more than 10 percent by count of the prunes may possess a dull chocolate brown surface color or may possess abnormal darkening of the flesh due to caramelization or fermentation.

(c) (*C*) *Classification.* If the canned dried prunes possess a fairly uniform, fairly good typical color, a score of 12 to 14 points may be given. Canned dried prunes that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product. "Fairly uniform, fairly good typical color" means that the skins of the prunes may vary in shades of typical colors and that not more than 15 percent by count of the prunes may possess a dull chocolate brown surface color or may possess abnormal darkening of the flesh due to caramelization or fermentation.

(d) (*D*) *Classification.* Canned dried prunes that are definitely off color for any reason or that otherwise fail to meet requirements of paragraph (c) of this section may be given a score of zero to 11 points and shall not be graded above U.S. Grade D or Substandard, regardless of the total score for the product.

§ 52.5611 Uniformity of size.

(a) (*A*) *Classification.* Canned dried prunes that are practically uniform in size may be given a score of 14 or 15 points. "Practically uniform in size" means that the weight of the largest prune may not exceed the weight of the smallest prune by more than 75 percent.

(b) (*B*) *Classification.* If the canned dried prunes are reasonably uniform in size, a score of 12 or 13 points may be given. "Reasonably uniform in size" means that the weight of the largest prune may not be more than twice the weight of the smallest prune.

(c) (*C*) *Classification.* Canned dried prunes that vary in size may be given a score of 10 or 11 points.

§ 52.5612 Absence of defects.

(a) *Definitions of defects.* The factor of absence of defects refers to the degree of freedom from the following:

(1) Prunes that possess growth cracks, splits, breaks in the skin, or skin damage of the following descriptions:

(i) Calloused growth cracks aggregating more than $\frac{3}{8}$ inch in length.

(ii) Splits or breaks not having calloused edges when the flesh is mashed out beyond the protecting skin so as to affect materially the normal appearance of the prunes.

(iii) Any cracks, splits, or breaks open to the pit.

(iv) Skin damage caused by overdripping, rain processing, or other causes which materially affects the appearance of the prunes.

(2) Prunes that possess areas of scab of the following descriptions:

(i) Tough or thick scab exceeding in the aggregate the area of a circle $\frac{3}{8}$ inch in diameter.

(ii) Scab of other character exceeding in the aggregate the area of a circle $\frac{3}{4}$ inch in diameter.

(3) Prunes that are so affected by burning or scorching in the sun, or in dehydration, as to damage materially the skin or flesh.

(4) Prunes that are damaged by insect injury or other similar defects.

(5) "Tough or thick scab" means thick leathery areas on the skin frequently formed as the result of thrip injury, mildew, leaf chafing, limb rubs, or other means. Such scab is to be distinguished from "scab or other character" which is more or less inconsequential and practically blends in color with the skin on the portion of the prune not affected.

(6) "Damaged by insect injury" means healed or unhealed surface blemishes, and healed or unhealed blemishes in the flesh which materially affect the appearance, edibility, or keeping quality of the fruit but which do not possess evidence of insect infestation.

(7) "Damaged by other similar defects" means any injury or defect or group of defects not mentioned herein which materially affect the appearance, edibility or keeping quality of the fruit.

(b) (*A*) *Classification.* Canned dried prunes that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that there may be present not more than 5 percent by count of prunes affected by any defect or any combination of defects mentioned in paragraph (a) (1), (2), (3), and (4) of this section. One prune that is defective is permitted if it exceeds 5 percent by count.

(c) (*B*) *Classification.* If the canned dried prunes are reasonably free from defects, a score of 22 to 26 points may be given. "Reasonably free from defects" means that there may be present not more than 10 percent by count of prunes affected by any defect or any combination of defects mentioned in paragraph (a) (1), (2), (3), and (4) of this section. One prune that is defective is permitted if it exceeds 10 percent by count.

(d) (*C*) *Classification.* If the canned dried prunes are fairly free from defects, a score of 17 to 21 points may be given. Canned dried prunes that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product. "Fairly free from defects" means that there may be present not more than 15 percent by count of prunes affected by any defect or combination of defects mentioned in paragraph (a) (1), (2), (3), and (4) of this section.

(e) (*D*) *Classification.* Canned dried prunes that fail to meet the requirements of paragraph (d) of this section, may be given a score of 0 to 16 points and shall not be graded above U.S. Grade D or Substandard, regardless of the total score for the product.

§ 52.5613 Character of fruit.

(a) (*A*) *Classification.* Canned dried prunes that possess a good, tender, fleshy texture may be given a score of 31 to 35 points. "Good tender, fleshy texture" means that the prunes are thick-fleshed; that not more than 5 percent by count of prunes have fibrous or tough skins; and that not more than 10 percent by count of prunes may be soft or hard in texture. One prune that possesses a tough skin, is soft, or is hard, is permitted, if one prune exceeds 5 percent or 10 percent by count.

(b) (*B*) *Classification.* If canned dried prunes possess a reasonably good, tender, fleshy texture, a score of 26 to 30 points may be given. "Reasonably good, tender, fleshy texture" means that the prunes are reasonably thick-fleshed; that not more than 10 percent by count of prunes may have fibrous or tough skins; and that not more than 15 percent by count of prunes may be soft or hard in texture.

(c) (*C*) *Classification.* If the canned dried prunes possess a fairly good texture, a score of 21 to 25 points may be given. Canned dried prunes that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product. "Fairly good texture" means that the prunes may vary in thickness and texture of flesh or may possess fibrous or tough skins; and that not more than 20 percent by count of prunes may be soft or hard in texture.

(d) (*D*) *Classification.* Canned dried prunes that fail to meet the requirements of paragraph (c) of this section may be given a score of zero to 20 points and shall not be graded above U.S. Grade D or Substandard, regardless of the total score for the product.

EXPLANATION OF TERMS

§ 52.5614 Explanation of terms.

(a) "24° Brix" means that the packing medium surrounding the fruit tests 24 degrees when tested with a Brix spindle, or hydrometer, or with a refractometer, read at the proper temperature for the instrument used.

(b) "Normal canned dried prune flavor" means that the product is free from objectionable odors or objectionable flavors of any kind.

LOT COMPLIANCE

§ 52.5615 Ascertaining the grade of a lot.

The grade of a lot of canned dried prunes covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87).

SCORE SHEET

§ 52.5616 Score sheet for canned dried prunes.

Number, size, kind of container			
Can mark			
Label			
Net weight (in ounces)			
Vacuum reading (in inches)			
Drained weight (in ounces)			
Sirup (Degrees Brix)			
Type			
Count			
Factors	**Score points**		
Color	20	(A) 18-20	
		(B) 15-17	
		(C) [1] 12-14	
		(D) [1] 0-11	
Uniformity of size	15	(A) 14-15	
		(B) 12-13	
		(C) 10-11	
Absence of defects	30	(A) 27-30	
		(B) 22-26	
		(C) [1] 17-21	
		(D) [1] 0-16	
Character of fruit	35	(A) 31-35	
		(B) 26-30	
		(C) [1] 21-25	
		(D) [1] 0-20	
Total score	100		
Grade			
Flavor			

[1] Indicates limiting rules within classification.

Subpart—U.S. Standards for Grades of Dried Apricots

PRODUCT DESCRIPTION, MOISTURE, SIZES

Sec.
52.5761 Product description.
52.5762 Moisture.
52.5763 Sizes.

GRADES OF DRIED APRICOTS

(OTHER THAN SLAB GRADES)

52.5764 U.S. Grade A or U.S. Fancy.
52.5765 U.S. Grade B or U.S. Choice.
52.5766 U.S. Grade C or U.S. Standard.
52.5767 U.S. Grade D or Substandard.

GRADES OF DRIED APRICOTS (SLABS)

52.5768 U.S. Grade A (Slabs) or U.S. Fancy (Slabs).
52.5769 U.S. Grade B (Slabs) or U.S. Choice (Slabs).
52.5770 U.S. Grade C (Slabs) or U.S. Standard (Slabs).
52.5771 U.S. Grade D (Slabs) or Substandard (Slabs).

EXPLANATION OF TERMS

52.5772 Explanation of terms.

WORK SHEET

52.5773 Work sheet and summary of requirements for dried apricots.

Subpart—U.S. Standards for Grades of Dried Apricots

PRODUCT DESCRIPTION, MOISTURE, SIZES

§ 52.5761 Product description.

Dried apricots are the halved and pitted fruit of the apricot tree (Prunus armeniaca) from which the greater portion of moisture has been removed. Before packing, the dried fruit is processed to cleanse the fruit and may be sulfured sufficiently to retain a characteristic color.

§ 52.5762 Moisture.

Federal inspection certificates shall indicate the moisture content of the finished product which shall be not more than 26 percent by weight for sizes No. 1, No. 2, and No. 3, and for slabs, and not more than 25 percent by weight for other sizes.

§ 52.5763 Sizes.

(a) Federal inspection certificates shall indicate the size or combination of sizes of halved apricots found upon examination; or shall indicate "Slabs" if the apricots are such, or "Whole Pitted" (or "Slip Pitted" (if the apricots are found to be of this style.

(b) The various sizes of dried apricots, except for slabs (including "whole pitted" or "slip pitted" apricots) are as follows:

No. 1 Size (Jumbo Size)	1⅜ inches, or inches in diameter.
No. 2 Size (Extra Fancy Size)	1¼ inches to 1⅜ inches in diameter.
No. 3 Size (Fancy Size)	1⅛ inches to 1¼ inches in diameter.
No. 4 Size (Extra Choice Size)	1 inch to 1⅛ inches in diameter.
No. 5 Size (Choice Size)	13/16 inch to 1 inch in diameter.
No. 6 Size (Standard Size)	Less than 13/16 inch in diameter.

(1) "Diameter" means the shortest measurement across the face of the apricot half when restored to its normal shape.

(2) In determining compliance with size requirements of this section, dried apricots will be considered as of one size if not more than 10 percent by weight of the fruit varies from the size range.

GRADES OF DRIED APRICOTS

(OTHER THAN SLAB GRADES)

§ 52.5764 U.S. Grade A or U.S. Fancy.

(a) U.S. Grade A or U.S. Fancy dried apricots possess similar varietal characteristics; and possess a practically uniform, bright typical color, characteristic of well-matured apricots. The fruit may possess pale yellow areas around the stem and that do not exceed an area equivalent to one-eighth of the outer surface side of the unit; not more than 5 percent by weight of the fruit may be of a color described in U.S. Grade B or U.S. Choice, but none of the fruit may be of a color described in U.S. Grade C or U.S. Standard.

(b) Not more than a total tolerance of 10 percent by weight may be slabs, immature, or may possess pits or pieces of pits; may be damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than two-fifths of the total tolerance, or 4 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-tenth of the total tolerance, or 1 percent by weight, may be affected by decay.

§ 52.5765 U.S. Grade B or U.S. Choice.

(a) U.S. Grade B or U.S. Choice dried apricots possess similar varietal characteristics; and possess a reasonably uniform, bright typical color, characteristic of reasonably well-matured apricots. The fruit may possess pale yellow areas around the stem end that do not exceed an area equivalent to one-fourth of the outer surface side of the unit; not more than 10 percent by weight of the fruit may be of a color described in U.S. Grade C or U.S. Standard, but none of the units may possess light green areas that exceed an area equivalent to one-fourth of the outer surface side of the unit.

(b) Not more than a total tolerance of 15 percent by weight may be slabs, immature, or may possess pits or pieces of pits, may be damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than one-third of the total tolerance, or 5 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-fifteenth of the total tolerance, or 1 percent by weight, may be affected by decay.

§ 52.5766 U.S. Grade C or U.S. Standard.

(a) U.S. Grade C or U.S. Standard dried apricots possess similar varietal characteristics; and possess a fairly uniform typical color, characteristic of fairly well-matured apricots. The fruit may be pale yellow in color and may possess light green areas around the stem end of the fruit that do not exceed an area equivalent to one-quarter of the outer surface side of the unit, but not more than 15 percent by weight of the total fruit may possess light green areas that exceed an area equivalent to one-quarter of the outer surface side of the unit.

(b) Not more than a total tolerance of 20 percent by weight of the fruit may be slabs, immature, or possess pits or pieces of pits; may be damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than one-fourth of the total tolerance, or 5 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-tenth of the total tolerance, or 2 percent by weight, may be affected by decay.

§ 52.5767 U.S. Grade D or Substandard.

U.S. Grade D or Substandard dried apricots are wholesome and edible fruit that fails to meet the requirements of U.S. Grade C or U.S. Standard: *Provided*, That, not more than 20 percent by weight of the total fruit may be slabs; and not more than 5 percent by weight of the total fruit may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than 2 percent by weight of the total fruit may be affected by decay.

GRADES OF DRIED APRICOTS (SLABS)

§ 52.5768 U.S. Grade A (Slabs) or U.S. Fancy (Slabs).

U.S. Grade A (Slabs) or U.S. Fancy (Slabs) dried apricots meet the requirements of U.S. Grade A or U.S. Fancy, except that there is no limit to the percentage of slabs.

§ 52.5769 U.S. Grade B (Slabs) or U.S. Choice (Slabs).

U.S. Grade B (Slabs) or U.S. Choice (Slabs) dried apricots meet the requirements of U.S. Grade B or U.S. Choice, except that there is no limit to the percentage of slabs.

§ 52.5770 U.S. Grade C (Slabs) or U.S. Standard (Slabs).

U.S. Grade C (Slabs) or U.S. Standard (Slabs) dried apricots meet the requirements of U.S. Grade C or U.S. Standard, except that there is no limit to the percentage of slabs.

§ 52.5771 U.S. Grade D (Slabs) or Substandard (Slabs).

U.S. Grade D (Slabs) or Substandard (Slabs) dried apricots are wholesome and edible fruit that fails to meet the requirements of U.S. Grade C (Slabs) or U.S. Standard (Slabs): *Provided*, That, not more than 5 percent by weight of the total fruit may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than 2 percent by weight of the total fruit may be affected by decay.

EXPLANATION OF TERMS

§ 52.5772 Explanation of terms.

(a) *Damage or other defects.* (1) "Damaged by discoloration" means that the apricots have become excessively darkened. Darkening of otherwise sound fruit characteristic of fruit held in storage, in keeping with good commercial practice, shall not be considered as damaged by discoloration unless excessively darkened.

(2) "Damaged by sunburn" means any substantial damage to color or texture of skin caused by excessive heat from the sun.

(3) "Damaged by hail marks, scab, or disease" means that the combined area of all such defects, or of any one such defect, exceeds in the aggregate an area equivalent to the area of a circle three-eighths inch in diameter.

(4) "Damaged by other similar defects" means any injury or defect or group of defects not mentioned herein which materially affect the appearance, edibility, or keeping quality of the fruit.

(5) "Damaged by insect injury" means healed or unhealed surface blemishes, and healed or unhealed blemishes in the flesh which materially affect the appearance, edibility, or keeping quality of the fruit but which do not possess evidence of insect infestation.

(6) "Affected by insect infestation" means that the dried apricots show the presence of insects, insect fragments, or excreta. No live insects are permitted.

(7) "Affected by imbedded dirt" means the units have sufficient quantities of adhering dirt to give the fruit a dirty, smudgy appearance and dirt which may not be removed readily in washing the fruit.

(b) *Maturity.* (1) "Well-matured" means that the apricots are fully ripe.

(2) "Reasonably well-matured" means that the apricots are firm and may not have reached the fully ripe stage.

(3) "Fairly well-matured" means that the apricots may be hard but not immature.

(4) "Immature" means that the apricots are tough or possess a green or other color indicative of immature fruit.

(c) *Slabs.* "Slabs" are apricots that have been mashed, broken, or mutilated to the extent that they have lost their normal contour and have become definitely flattened at the edge or rim. A half that has a slightly torn edge is not considered a slab. For the purpose of these grades "whole pitted" (or "slip pitted") dried apricots are considered as slabs.

WORK SHEET

§ 52.5773 Work sheet and summary of requirements for dried apricots.

	A	B	C	D	A Slabs	B Slabs	C Slabs	D Slabs		
Size of case or package										
Markings										
Label or brand										
Net weight										
Size or sizes										
Moisture content										
COLOR	Minimum requirements									
Grade A color	95%				95%					
Grade B color	5%	90%			5%	90%				
Grade C color		10%	100%			10%	100%			
DEFECTS	Maximum tolerances									
Total defects	10%	15%	20%		10%	15%	20%			
Slabs				20%				No limit		
Immature; fruit possessing pits or pieces of pits; damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; and	10%	15%	20%		10%	15%	20%			
Affected by mold, decay, insect infestation, imbeded dirt, or other foreign material	But not more than 4%	5%	5%	5%	4%	5%	5%	5%		
Decay	But not more than 1%	1%	2%	2%	1%	1%	2%	2%		
Grade										

Subpart—U.S. Standards for Grades of Dried Peaches

PRODUCT DESCRIPTION, MOISTURE, TYPES AND VARIETIES, SIZES

Sec.
52.5801 Product description.
52.5802 Moisture.
52.5803 Types and varieties of dried peaches.
52.5804 Sizes of dried peaches.

GRADES OF DRIED PEACHES

52.5805 U.S. Grade A or U.S. Fancy.
52.5806 U.S. Grade B or U.S. Choice.
52.5807 U.S. Grade C or U.S. Standard.
52.5808 U.S. Grade B or Substandard.

EXPLANATION OF TERMS

52.5809 Explanation of terms.

WORK SHEET

52.5810 Work sheet and summary of requirements for dried peaches.

Subpart—U.S. Standards for Grades of Dried Peaches

PRODUCT DESCRIPTION, MOISTURE, TYPES AND VARIETIES, SIZES

§ 52.5801 Product description.

Dried peaches are the halved and pitted fruit of the peach tree (Prunus persica) from which the greater portion of moisture has been removed. Before packing, the dried fruit is processed to cleanse the fruit and may be sulfured sufficiently to retain a characteristic color.

§ 52.5802 Moisture.

Federal inspection certificates shall indicate the moisture content of the finished product which shall be not more than 25 percent by weight.

§ 52.5803 Types and varieties of dried peaches.

(a) *Freestone.* (1) Muir variety.
(2) Lovell variety.
(3) Elberta variety.
(4) Other freestone varieties or mixed freestone varieties.
(b) *Clingstone.* (1) Midsummer variety.
(2) Phillips variety.

§ 52.5804 Sizes of dried peaches.

(a) Federal inspection certificates shall indicate the size or combination of sizes of halved peaches found upon examination.

(b) The various sizes of dried peaches are as follows:

No. 1 Size (Jumbo Size)	2 inches or larger in diameter.
No. 2 Size (Extra Fancy Size)	1¾ inches to 2 inches in diameter.
No. 3 Size (Fancy Size)	1½ inches to 1¾ inches in diameter.
No. 4 Size (Extra Choice Size)	1⅜ inches to 1½ inches in diameter.
No. 5 Size (Choice Size)	1¼ inches to 1⅜ inches in diameter.
No. 6 Size (Standard Size)	Less than 1¼ inches in diameter.

(1) "Diameter" means the shortest measurement across the face of the peach half when restored to its normal shape.

(2) In determining compliance with size requirements listed above, dried peaches will be considered as of one size if not more than 10 percent by weight of halves vary from the size range.

GRADES OF DRIED PEACHES

§ 52.5805 U.S. Grade A or U.S. Fancy.

(a) U.S. Grade A or U.S. Fancy dried peaches possess similar varietal characteristics; and possess a practically uniform, bright typical color, characteristic of well-matured peaches. Not more than 5 percent by weight of the fruit may be of a color described in U.S. Grade B or U.S. Choice, and none of the fruit may be of a color described in U.S. Grade C or U.S. Standard.

(b) Not more than a total tolerance of 10 percent by weight may be slabs, immature, or may possess pits or pieces of pits; may be damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than three-tenths of the total tolerance, or 3 percent by weight, may possess pits or pieces of pits; not more than two-fifths of the total tolerance, or 4 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-tenth of the total tolerance, or 1 percent by weight, may be affected by decay.

§ 52.5806 U.S. Grade B or U.S. Choice.

(a) U.S. Grade B or U.S. Choice dried peaches possess similar varietal characteristics; and possess a reasonably uniform, bright typical color, characteristic of reasonably well-matured peaches. Not more than 10 percent by weight of the fruit may be of a color described in U.S. Grade C or U.S. Standard.

(b) Not more than a total tolerance of 15 percent by weight may be slabs, immature, or may possess pits or pieces of pits; may be damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than one-third of the total tolerance, or 5 percent by weight, may possess pits or pieces of pits; not more than one-third of the total tolerance, or 5 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-fifteenth of the total tolerance, or 1 percent by weight, may be affected by decay.

§ 52.5807 U.S. Grade C or U.S. Standard.

(a) U.S. Grade C or U.S. Standard dried peaches possess similar varietal characteristics; and possess a fairly uniform typical color, characteristic of fairly well-matured peaches.

(b) Not more than a total tolerance of 20 percent by weight of the fruit may be slabs, immature, or possess pits or pieces of pits; may be damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than one-half of the total tolerance, or 10 percent by weight, may possess pits or pieces of pits; not more than one-fourth of the total tolerance, or 5 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-tenth of the total tolerance, or 2 percent by weight, may be affected by decay.

§ 52.5808 U.S. Grade D or Substandard.

U.S. Grade D or Substandard dried peaches are wholesome and edible fruit that fails to meet the requirements of U.S. Grade C or U.S. Standard: *Provided*, That, not more than 5 percent by weight of the total fruit may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than 2 percent by weight of the total fruit may be affected by decay.

EXPLANATION OF TERMS

§ 52.5809 Explanation of terms.

(a) *Damage or other defects.* (1) "Damaged by discoloration" means that the peaches have become excessively darkened. Darkening of otherwise sound fruit characteristic of fruit held in storage, in keeping with good commercial practice, shall not be considered as damaged by discoloration unless excessively darkened.

(2) "Damaged by sunburn" means any substantial damage to color or texture of skin caused by excessive heat from the sun.

(3) "Damaged by hail marks, scab, or disease" means that the combined area of all such defects, or of any one such defect exceeds in the aggregate an area equivalent to the area of a circle three-eighths inch in diameter.

(4) "Damaged by other similar defects" means any injury or defect or group of defects not mentioned herein which materially affect the appearance, edibility, or keeping quality of the fruit.

(5) "Damaged by insect injury" means healed or unhealed surface blemishes, and healed or unhealed blemishes in the flesh which materially affect the appearance, edibility, or keeping quality of the fruit but which do not possess evidence of insect infestation.

(6) "Affected by insect infestation" means that the dried peaches show the presence of insects, insect fragments, or excreta. No live insects are permitted.

(7) "Affected by imbedded dirt" means the units have sufficient quantities of adhering dirt to give the fruit a dirty, smudgy appearance and dirt which may not be removed readily in washing the fruit.

(b) *Maturity.* (1) "Well-matured" means that the peaches are fully ripe.

(2) "Reasonably well-matured" means that the peaches are firm and may not have reached the fully ripe stage.

(3) "Fairly well-matured" means that the peaches may be hard but not immature.

(4) "Immature" means that the peaches are tough or possess green or other color indicative of immature fruit.

(c) *Slabs.* "Slabs" are peaches that have been mashed, broken, or mutilated to the extent that they have lost their normal contour and have become definitely flattened at the edge or rim. A half that has a slightly torn edge is not considered a slab.

WORK SHEET

§ 52.5810 Work sheet and summary of requirements for dried peaches.

Size of case or package						
Markings						
Label or brand						
Net weight						
Size or sizes						
Moisture content						
	A	B	C	D		
COLOR	Minimum requirements					
Grade A color	95%					
Grade B color	5%	90%				
Grade C color		10%	100%			
DEFECTS	Maximum tolerances					
Total defects	10%	15%	20%			
Slabs, and immature; damaged by discoloration, sunburn, hail marks, scab, disease, insect injury, or other similar defects; and	10%	15%	20%			
Fruit processing pits or pieces of pits; and	But not more than 3%	5%	10%			
Affected by mold, decay, insect infestation, imbedded dirt, or other foreign material	But not more than 4%	5%	5%	5%		
Decay	But not more than 1%	1%	2%	2%		
Grade						

Subpart—U.S. Standards for Grades of Dried Pears

PRODUCT DESCRIPTION, MOISTURE, SIZES

Sec.
52.5841 Product description.
52.5842 Moisture.
52.5843 Sizes of dried pears.

GRADES FOR DRIED PEARS

52.5844 U.S. Grade A or U.S. Fancy.
52.5845 U.S. Grade B or U.S. Choice.
52.5846 U.S. Grade C or U.S. Standard.
52.5847 U.S. Grade D or Substandard.

EXPLANATION OF TERMS

52.5848 Explanation of terms.

WORK SHEET

52.5849 Work sheet and summary of requirements for dried pears.

Subpart—U.S. Standards for Grades of Dried Pears

PRODUCT DESCRIPTION, MOISTURE, SIZES

§ 52.5841 Product description.

Dried pears are the halved fruit of the pear tree (Pyrus communis) which may or may not be cored, from which the external stems and calyx cups have been removed, and from which the greater portion of the moisture has been removed. Before packing, the dried fruit is processed to cleanse the fruit and may be sulfured sufficiently to retain a characteristic color.

§ 52.5842 Moisture.

Federal inspection certificates shall indicate the moisture content of the finished product which shall be not more than 26 percent by weight.

§ 52.5843 Sizes of dried pears.

(a) Federal inspection certificates shall indicate the size or combination of sizes of halved pears found upon examination.

(b) The various sizes of dried pears are as follows:

No. 1 Size (Jumbo Size)	1⅞ inches or more in width.
No. 2 Size (Extra Large Size)	1¾ inches to 1⅞ inches in width.
No. 3 Size (Large Size)	1½ inches to 1¾ inches in width.
No. 4 Size (Medium Size)	1⅜ inches to 1½ inches in width.
No. 5 Size (Small Size)	1⅛ inches to 1⅜ inches in width.
No. 6 Size (Extra Small Size)	Less than 1⅛ inches in width.

(1) "Width" means the longest measurement obtainable, measured at right angles to a line running from the stem end to the calyx end.

(2) In determining compliance with size requirements listed above, dried pears will be considered as of one size if not more than 10 percent by weight of halves vary from the size range.

GRADES FOR DRIED PEARS

§ 52.5844 U.S. Grade A or U.S. Fancy.

(a) U.S. Grade A or U.S. Fancy dried pears possess similar varietal characteristics; possess a practically uniform, bright typical color characteristic of well-matured pears; and are well shaped. Not more than 5 percent by weight of the fruit may be of a color described in U.S. Grade B or U.S. Choice; and none of the fruit may be of a color described in U.S. Grade C or U.S. Standard.

(b) Not more than a total tolerance of 10 percent by weight may be slabs, immature, or scraps; may be affected by russet or similar discoloration; may be damaged by discoloration, sunburn, hailmarks, limb-rubs, hard end, black end, external stems and calyx cups, scab, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than two-fifths of the total tolerance, or 4 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-tenth of the total tolerance, or 1 percent by weight, may be affected by decay.

§ 52.5845 U.S. Grade B or U.S. Choice.

(a) U.S. Grade B or U.S. Choice dried pears possess similar varietal characteristics; possess a reasonably uniform, bright typical color, characteristic of reasonably well-matured pears; and are reasonably well shaped. Not more than 10 percent by weight of the fruit may be of a color described in U.S. Grade C or U.S. Standard.

(b) Not more than a total tolerance of 15 percent by weight may be slabs, immature, or scraps; may be affected by russet or similar discoloration; may be damaged by discoloration, sunburn, hailmarks, limb-rubs, hard end, black end, external stems and calyx cups, scabs, disease, insect injury, or other similar defects; or may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than one-third of the total tolerance, or 5 percent by weight, may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-fifteenth of the total tolerance or 1 percent by weight, may be affected by decay.

§ 52.5846 U.S. Grade C or U.S. Standard.

(a) U.S. Grade C or U.S. Standard dried pears possess similar varietal characteristics; possess a fairly uniform color; characteristic of fairly well-matured pears; and are fairly well shaped.

(b) Not more than a total tolerance of 20 percent by weight may be slabs, immature, or scraps; may be affected by russet or similar discoloration, may be damaged by discoloration, sunburn, hailmarks, limb-rubs, hard end, black end, external stems and calyx cups, scab, disease, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That, not more than one-fourth of the total tolerance, or 5 percent by weight may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than one-tenth of the total tolerance, or 2 percent by weight, may be affected by decay.

§ 52.5847 U.S. Grade D or Substandard.

U.S. Grade D or Substandard dried pears are wholesome and edible fruit

that fails to meet the requirements of U.S. Grade C or U.S. Standard: *Provided*, That, not more than 5 percent by weight of the total fruit may be affected by mold, decay, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *And further provided*, That, not more than 2 percent by weight of the total fruit may be affected by decay.

EXPLANATION OF TERMS

§ 52.5848 Explanation of terms.

(a) *Color.* (1) "Practically uniform, bright typical color" means that the halves are bright and translucent, and not darker than pear yellow in color.

(2) "Reasonably uniform, bright typical color" means that the halves are reasonably bright and reasonably translucent, and not darker than pear yellow in color.

(3) "Fairly uniform typical color" means that the halves are fairly bright and fairly translucent and are of any normal color not darker than dark amber.

(b) *Damage or other defects.* (1) "Affected by russet or similar discoloration" means reddish brown discoloration caused by sunlight when the area so affected is conspicuous. Russet or other similar skin discoloration is not considered "damaged by discoloration."

(2) "Damage by discoloration" means—

(i) Skin discoloration caused by sunburn, limb-rubs, hailmarks, or other means which when light brown in color, exceed in the aggregate one-eighth of the surface and which, when dark brown or darker, or hard, tough and leathery, exceed in the aggregate an area equivalent to one-sixteenth of the outer surface side of the unit.

(ii) Flesh discoloration caused by bruising, drought spot, or other means which are materially darker or lighter than the normal color of the half and which exceed in the aggregate an area equivalent to one-sixteenth of the outer surface side of the unit.

(iii) Darkening of otherwise sound fruit characteristic of fruit held in storage, in keeping with good commercial practice, shall not be considered as damaged by discoloration unless excessively darkened.

(3) "Damaged by hard end or black end" means the light colored areas at the calyx end of the fruit or similar damage which exceed in the aggregate an area equivalent to one-eighth of the outer surface.

(4) "Damaged by other similar defects" means any injury or defect or group of defects not mentioned herein which materially affect the appearance, edibility, or keeping quality of the fruit.

(5) "Damaged by insect injury" means healed or unhealed surface blemishes, and healed or unhealed blemishes in the flesh which materially affect the appearance, edibility, or keeping quality of the fruit but which do not possess evidence of insect infestation.

(6) "Affected by insect infestation" means that the dried pears show the presence of insects, insect fragments, or excreta. No live insects are permitted.

(7) "Affected by imbedded dirt" means the units have sufficient quantities of adhering dirt to give the fruit a dirty, smudgy appearance and dirt which may not be removed readily in washing the fruit.

(c) *Maturity.* (1) "Well-matured" means that the pears are fully ripe.

(2) "Reasonably well-matured" means that the pears are firm and may not have reached the fully ripe stage.

(3) "Fairly well-matured" means that the pears may be hard but not immature.

(4) "Immature" means that the pears possess a grayish white or dead white color indicative of immature fruit.

(d) *Shape.* (1) "Well-shaped" means that the pears have been cut longitudinally into approximately equal halves, and that the halves are practically whole and symmetrical.

(2) "Reasonably well shaped" means that the pears have been cut longitudinally into approximate equal halves, and that the halves may tend to be oval in shape but are not so irregular as to be misshapen.

(3) "Fairly well shaped" means that the pears have been cut longitudinally into approximately equal halves, and that any portion of a half is not less than two-thirds of the apparent original half.

(e) *Slabs.* "Slabs" are pears that have been mashed or mutilated to the extent that they have lost their normal contour and have become definitely flattened at the edge or rim. A half that has a slightly torn edge is not considered a slab.

(f) *Scraps.* "Scraps" means any portion of a half that is less than two-thirds of the apparent original half.

WORK SHEET

§ 52.5849 Work sheet and summary of requirements for dried pears.

Size of case or package						
Markings						
Label or brand						
Net weight						
Size or sizes						
Moisture content						
	A	B	C	D		
COLOR	Minimum requirements					
Grade A color	95%					
Grade B color	5%	90%				
Grade C color		10%	100%			
DEFECTS	Maximum tolerance					
Total defects	10%	15%	20%			
Slabs, immature, or scraps; affected by russet or similar discoloration; damaged by discoloration; sunburn, hailmarks, limb-rub, hard end, black end, external stems, calyx cups, scab, disease, insect injury, or other similar defects; and	10%	15%	20%			
	But not more than					
Affected by mold, decay, insect infestation, imbedded dirt, or other foreign material.	4%	8%	8%	8%		
	But not more than					
Decay	1%	1%	2%	2%		
Grade						

Subpart—U.S. Standards for Grades of Frozen Berries

PRODUCT DESCRIPTION, TYPES

Subpart—U.S. Standards for Grades of Frozen Berries

PRODUCT DESCRIPTION, TYPES

§ 52.5881 Product description.

Frozen berries are prepared from the properly ripened fresh fruit of the plant (Genus Rubus); are stemmed and cleaned; may be packed with or without packing media; and are frozen and stored at temperatures necessary for the preservation of the product.

§ 52.5882 Types of frozen berries.

(a) Blackberries.
(b) Boysenberries.
(c) Dewberries.
(d) Loganberries.
(e) Youngberries.
(f) Other similar types, such as "Nectarberries."

GRADES OF FROZEN BERRIES

§ 52.5883 Grades of frozen berries.

(a) U.S. Grade A or U.S. Fancy frozen berries are berries of similar varietal characteristics which possess a practically uniform typical color; are prac-

tically free from defects; possess a good character; possess a normal flavor and odor; and score not less than 85 points when scored in accordance with the scoring system outlined herein.

(b) U.S. Grade B or U.S. Choice frozen berries are berries of similar varietal characteristics which possess a reasonably uniform typical color; are reasonably free from defects; possess a reasonably good character; possess a normal flavor and odor; and score not less than 70 points when scored in accordance with the scoring system outlined herein.

(c) U.S. Grade D or Substandard frozen berries are berries that fail to meet the requirements of U.S. Grade B or U.S. Choice.

GRADES OF FROZEN BERRIES FOR MANUFACTURING

§ 52.5884 Grades of frozen berries for manufacturing.

(a) U.S. Grade A for Manufacturing or U.S. Fancy Grade for Manufacturing frozen berries are berries of similar varietal characteristics which possess a practically uniform typical color; possess a reasonably good character; possess a normal flavor and odor; and there may be present—

(1) Not more than 4 sepal-like bracts per 16 ounces of net weight;

(2) Not more than one stem or one leaf or a piece of leaf or the approximate equivalent of one full cap per 48 ounces of net weight; and

(3) Not more than 5 percent by weight of berries that may be undeveloped or damaged.

(b) U.S. Grade B for Manufacturing or U.S. Choice Grade for Manufacturing frozen berries are berries of similar varietal characteristics which possess a reasonably uniform typical color; may possess a fairly good character typical of fairly well-ripened to very ripe berries with not more than 30 percent by weight for blackberries and not more than 40 percent by weight for boysenberries, dewberries, loganberries, youngberries, and other similar types that may be crushed; possess a normal flavor and odor; and there may be present—

(1) Not more than 10 sepal-like bracts per 16 ounces of net weight;

(2) Not more than one stem or one leaf or a piece of leaf or the approximate equivalent of one full cap per 16 ounces of net weight; and

(3) Not more than 10 percent by weight of berries that may be undeveloped or damaged.

(c) U.S. Grade D for Manufacturing or Substandard for Manufacturing frozen berries are berries that fail to meet the requirements of U.S. Grade B for Manufacturing or U.S. Choice grade for Manufacturing.

TYPES OF PACK

§ 52.5885 Types of pack.

(a) Frozen berries are often packed with added sugar or added sugar and water. Sugar packs are usually designated by the amount of fruit to sugar; for example, "6+1" means that at the time of packing, 1 pound of sugar was added to 6 pounds of berries.

(b) It is recommended that the quantity of liquid packing medium, if used, is not in excess of the amount normally required by good commercial practice.

FACTORS OF QUALITY

§ 52.5886 Ascertaining the grade.

(a) The grade of frozen berries is determined immediately after thawing to the extent that the units may be separated easily.

(b) "Normal flavor and odor" means that the berries are free from objectionable or off flavors or objectionable odors of any kind.

(c) The grade of frozen berries may be ascertained by considering in addition to the foregoing requirements, the following factors: Color, absence of defects, and character.

(d) The relative importance of each factor has been expressed numerically on a scale of 100. The maximum number of points that may be given for each factor is:

Factors	*Points*
Color	30
Absence of defects	40
Character	30
Total Score	100

§ 52.5887 Ascertaining the rating of each factor.

The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical ranges within each factor are inclusive. For example, the range 25 to 30 means 25, 26, 27, 28, 29, and 30.

§ 52.5888 Color.

(a) (A) classification: To receive a score of 25 to 30 points the frozen berries must possess a practically uniform typical color. "Practically uniform typical color" means that not more than a total of 10 percent by weight of the berries may vary markedly from the intensity and luster of the characteristic color of well-ripened berries, provided not more than 5 percent by weight of the berries vary markedly from the intensity and luster of the characteristic color of reasonably well-ripened berries.

(b) (B) classification: If the frozen berries possess a reasonably uniform typical color, a score of 21 to 24 points may be given. Frozen berries that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product. "Reasonably uniform typical color" means that not more than 15 percent by weight of the berries may vary markedly from the intensity and luster of the characteristic color of reasonably well-ripened berries, provided not more than 5 percent by weight of the berries are definitely off color for any reason.

(c) (D) classification: Frozen berries that fail to meet the requirements of paragraph (b) of this section or that are definitely off color for any reason may be given a score of 0 to 20 points and shall not be graded above U.S. Grade D or Substandard, regardless of the total score for the product.

(d) The evaluation of the score points for the factor of color may be determined from the following table which denotes the variation in color allowed for the score indicated:

Classification	Score points	Marked variation from color of well-ripened berries	Marked variation from color of reasonably well-ripened berries	Definitely off color for any reason
		Maximum (by weight)		
A	30	None		None
	29	2% including not more than 1%		
	28	4% including not more than 2%		
	27	6% including not more than 3%		
	26	8% including not more than 4%		
	25	10% including not more than 5%		
B	24		6% including not more than 1%	
	23		9% including not more than 2%	
	22		12% including not more than 3%	
	21		15% including not more than 5%	
D	20 or less	More than allowances permitted in (B) classification		

§ 52.5889 Absence of defects.

(a) General: The factor of absence of defects refers to the degree of freedom from harmless extraneous vegetable material; from leaves, pieces of leaves, stems, and caps; from undeveloped berries; and from berries damaged by blemishes, insect, pathological, or other similar injury.

(b) Definitions of defects:

(1) A berry is considered "undeveloped" if it is shriveled or if more than one-fourth of the berry possesses hard, undeveloped drupelets.

(2) "Damage" includes any surface blemish having an aggregate area exceeding that of a circle ¼ inch in diameter or any noticeable blemish that extends into the fruit tissue.

(c) (A) classification: To receive a score of 34 to 40 points the frozen berries must be practically free from defects. "Practically free from defects" means that there may be present not more than 2 sepal-like bracts per 16 ounces of net weight; not more than one stem or one leaf or piece of leaf or the approximate equivalent of one full cap per 48 ounces of net weight; and that not more than 5 percent by weight of berries may be undeveloped or damaged.

(d) (B) classification: If the frozen berries are reasonably free from defects, a score of 28 to 33 points may be given. Frozen berries that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product. "Reasonably free from defects" means that there may be present not more than 5 sepal-like bracts and not more than one stem or one leaf or piece of leaf or the approximate equivalent of one full cap per 16 ounces of net weight; and that not

more than 10 percent by weight of berries may be undeveloped or damaged.

(e) (D) classification: Frozen berries that fail to meet the requirements of paragraph (d) of this section may be given a score of zero to 27 points and shall not be graded above U.S. Grade D or Substandard, regardless of the total score for the product.

(f) The evaluation of the score for the factor of absence of defects may be determined from the following table which denotes the maximum allowance for each type of defect for the score indicated:

Classification	Score points	Harmless extraneous material		Undeveloped or damaged berries
		Sepal-like bracts	Leaves, stems, full caps	
		Maximum		
		Per 16 ounces net weight	Per 48 ounces net weight	(by count)
A	40	0	None	0%
	39	1	None	1%
	38	1	1	2%
	37	1	1	3%
	36	2	1	3%
	35	2	1	4%
	34	2	1	5%
			Per 16 ounces net weight	
B	33	3	None	6%
	32	3	1	6%
	31	4	1	7%
	30	4	1	8%
	29	5	1	9%
	28	5	1	10%
D	27 or less	More than allowances permitted in B Classification		

§ 52.5890 Character.

(a) General: The factor of character refers to the maturity, texture, and appearance, as well as to the degree of disintegration of the berries. A berry is considered "crushed" if more than 50 percent of the drupelets are crushed, broken, or detached, or if the normal shape of the berry is otherwise materially affected or destroyed.

(b) (A) classification: To receive a score of 26 to 30 points the frozen berries must possess a good character. "Good character" means that the berries are mature and ripe but not overripe, are fleshy and tender, and are practically intact; that the berries and accompanying liquor are practically free from detached seed cells; and that not more than 5 percent by weight of blackberries may be crushed and not more than 10 percent by weight of dewberries, boysenberries, loganberries, youngberries, or other similar types may be crushed.

(c) (B) classification: If the frozen berries possess a reasonably good character, a score of 21 to 25 points may be given. Frozen berries that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product. "Reasonably good character" means that the berries are reasonably mature and may be not more than slightly immature nor slightly overmature; that the berries may be not more than slightly lacking in fleshy texture; that the berries and any accompanying liquor are reasonably free from detached seed cells; and that not more than 15 percent by weight of blackberries may be crushed and not more than 20 percent by weight of dewberries, boysenberries, loganberries, youngberries, or other similar types may be crushed.

(d) (D) classification: Frozen berries that fail to meet the requirements of paragraph (c) of this section may be given a score of zero to 20 points and shall not be graded above U.S. Grade D or Substandard, regardless of the total score for the product.

(e) The evaluation of the score for character may be determined from the following table which denotes the maximum allowances for berries that are crushed.

Classification	Score points	Maturity and texture	Detached seed cells	Crushed	
				Blackberries	Dewberries, Boysenberries, Loganberries, Youngberries, and other similar types
				Maximum (by weight)	
A	30	Ripe but not over-ripe; fleshy and tender.	Berries and accompanying liquor-practically free.	1%	2%
	29			2%	4%
	28			3%	6%
	27			4%	8%
	26			5%	10%
B	25	Not more than slightly immature nor slightly overmature; not more than slightly lacking in fleshy texture.	Berries and accompanying liquor-reasonably free.	7%	12%
	24			9%	14%
	23			11%	16%
	22			13%	18%
	21			15%	20%
D	20 or less	More than allowances permitted in B Classification.			

LOT COMPLIANCE

§ 52.5891 Ascertaining the grade of a lot.

The grade of a lot of frozen berries covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87).

SCORE SHEET

§ 52.5892 Score sheet for frozen berries.

No. size and kind of container.....
Label: Style of pack: Fruit-sugar ratio (If shown).....

Container mark or identification	Container or sample		
	Cases		
Net weight (ounces)			
Type			

Factors	Score points		
Color	30	(A) 25-30 (B) [1] 21-24 (SStd) [1] 0-20	
Absence of defects	40	(A) 34-40 (B) [1] 28-33 (SStd) [1] 0-27	
Character	30	(A) 26-30 (B) [1] 21-25 (SStd) [1] 0-20	
Total score	100		
Normal flavor and odor			
Grade			

[1] Limiting rule.

Subpart—U.S. Standards for Grades of Maple Sirup for Reprocessing

PRODUCT DESCRIPTION

Sec.
52.5921 Product description.

GRADES

52.5922 U.S. Grade AA (Fancy).
52.5923 U.S. Grade A.
52.5924 U.S. Grade B.
52.5925 U.S. Grade C.
52.5926 Unclassified.

Subpart—U.S. Standards for Grades of Maple Sirup for Reprocessing

PRODUCT DESCRIPTION

§ 52.5921 Product description.

(a) "Maple sirup" means sirup made by the evaporation of maple sap or by the solution of maple concrete (maple sugar) and contains not more than 35 percent of water, and weighs not less than 11 pounds to the gallon (231 cubic inches).

(b) The standards in this subpart are applicable to sirup which is packed in

drums or other large containers for further processing. It is not intended that they shall apply to sirup packed in containers for table use. Another set of standards entitled "U.S. Standards for Table Maple Sirup" has been issued for this purpose (§§ 52.5961–52.5968).

GRADES

§ 52.5922 U.S. Grade AA (Fancy).

U.S. Grade AA (Fancy) Maple Sirup for Reprocessing shall consist of maple sirup which meets the following requirements:

(a) The color shall not be darker than light amber as represented by the color standards of the U.S. Department of Agriculture.

(b) The weight shall be not less than 11 pounds per gallon of 231 cubic inches at 68 degrees F. corresponding to 65.46 degrees Brix or 35.27 degrees Baumé (Bureau of Standards Baumé scale for sugar solutions, modulus 145).

(c) The sirup shall possess a characteristic maple flavor, shall be free from fermentation and free from damage, caused by scorching, buddiness, any objectionable foreign flavor or odor or other means. "Damage" means any defect that materially affects the appearance or the edibility or shipping quality of the sirup.

§ 52.5923 U.S. Grade A.

(a) U.S. Grade A Maple Sirup for Reprocessing shall consist of maple sirup which meets the requirements of U.S. Grade AA (Fancy) Maple Sirup for Reprocessing except for color.

(b) The color shall be darker than light amber but shall not be darker than medium amber as represented by the color standards of the U.S. Department of Agriculture.

§ 52.5924 U.S. Grade B.

(a) U.S. Grade B Maple Sirup for Reprocessing shall consist of maple sirup which meets the requirements of U.S. Grade AA (Fancy) Maple Sirup for Reprocessing except for color.

(b) The color shall be darker than medium amber but shall not be darker than dark amber as represented by the color standards of the U.S. Department of Agriculture.

§ 52.5925 U.S. Grade C.

(a) U.S. Grade C Maple Sirup for Reprocessing shall consist of maple sirup which meets the requirements of U.S. Grade AA (Fancy) Maple Sirup for Reprocessing except for color.

(b) The color shall be darker than dark amber represented by the color standards of the U.S. Department of Agriculture.

§ 52.5926 Unclassified.

Unclassified Maple Sirup for Reprocessing shall consist of maple sirup which has not been classified in accordance with the foregoing grades. The term "Unclassified" is not a grade within the meaning of the standards in this subpart but is provided as a designation to show that no definite grade has been applied to the lot.

Subpart—U.S. Standards for Grades of Table Sirup

PRODUCT DESCRIPTION

Sec.
52.5961 Product description.

GRADES

52.5962 U.S. Grade AA (Fancy).
52.5963 U.S. Grade A.
52.5964 U.S. Grade B.
52.5965 Unclassified.

TOLERANCES, PACKING

52.5966 Tolerances for preceding grades.
52.5967 Packing.

EXPLANATION OF TERMS

52.5968 Explanation of terms.

Subpart—U.S. Standards for Grades of Table Sirup

PRODUCT DESCRIPTION

§ 52.5961 Product description.

(a) "Maple sirup" means sirup made by the evaporation of maple sap or by the solution of maple concrete (maple sugar) and contains not more than 35 percent of water, and weighs not less than 11 pounds to the gallon (231 cubic inches).

(b) The standards in this subpart are issued for the purpose of classifying maple sirup packed in containers for table use. It is not intended that they shall apply to sirup which is packed in drums or other large containers for later reprocessing. Another set of standards entitled "U.S. Standards for Maple Sirup for Reprocessing" has been issued for this purpose (§§ 52.5921–52.5926).

GRADES

§ 52.5962 U.S. Grade AA (Fancy).

U.S. Grade AA (Fancy) Table Maple Sirup shall consist of maple sirup which meets the following requirements:

(a) The color shall not be darker than light amber as represented by the color standards of the U.S. Department of Agriculture.

(b) The sirup shall not be cloudier than light amber cloudy standard as represented by the standards of the U.S. Department of Agriculture for cloudiness.

(c) The weight shall be not less than 11 pounds per gallon of 231 cubic inches at 68 degrees F. corresponding to 65.46 degrees Brix or 35.27 degrees Baumé (Bureau of Standards Baumé scale for sugar solutions, modulus 145).

(d) The sirup shall possess a characteristic maple flavor, shall be clean, free from fermentation, and free from damage caused by scorching, buddiness, any objectionable flavor or odor or other means.

§ 52.5963 U.S. Grade A.

(a) U.S. Grade A Table Maple Sirup shall consist of maple sirup which meets the requirements for U.S. Grade AA (Fancy) Table Maple Sirup except for color and cloudiness.

(b) The color shall not be darker than medium amber as represented by the color standards of the U.S. Department of Agriculture.

(c) The sirup shall not be cloudier than medium amber cloudy standard as represented by the standards of the U.S. Department of Agriculture for cloudiness.

§ 52.5964 U.S. Grade B.

(a) U.S. Grade B Table Maple Sirup shall consist of maple sirup which meets the requirements for U.S. Grade AA (Fancy) Table Maple Sirup except for color and cloudiness.

(b) The color shall not be darker than dark amber as represented by the color standards of the U.S. Department of Agriculture.

(c) The sirup shall not be cloudier than dark amber cloudy standard as represented by the standards of the U.S. Dpartment of Agriculture for cloudiness.

§ 52.5965 Unclassified.

Unclassified Table Maple Sirup shall consist of maple sirup which has not been classified in accordance with the foregoing grades. The term "Unclassified" is not a grade within the meaning of the standards in this subpart but is provided as a designation to show that no definite grade has been applied to the lot.

TOLERANCES, PACKING

§ 52.5966 Tolerances for preceding grades.

In order to allow for variations incident to proper grading and handling, not more than 5 percent, by count, of the containers in any lot may have sirup below the requirements for the grade: *Provided*, That no part of this tolerance shall be allowed for defects causing "serious damage": *And provided further*, That no tolerance is permitted for sirup that is darker in color than that which is required for the next lower grade.

§ 52.5967 Packing.

(a) Containers shall be clean and new in appearance. Tin containers shall not be rusty.

(b) In order to allow for variations incident to proper packing, not more than 5 percent, by count, of the containers in any lot may fail to meet these requirements.

EXPLANATION OF TERMS

§ 52.5968 Explanation of terms.

(a) "Cloudiness" means presence in suspension of fine particles of mineral matter, such as malate of lime, "niter," "sugar sand," or other substances that detract from the clearness of the sirup.

(b) "Clean" means that the sirup shall be practically free from foreign material such as pieces of bark, soot, dust, and dirt.

(c) "Damage" means any defect that materially affects the appearance or the edibility or shipping quality of the sirup.

(d) "Serious damage" means any defect that seriously affects the edibility or market value of the sirup. Badly scorched sirup, buddy sirup, fermented sirup or sirup that has any distasteful foreign flavor or disagreeable odor shall be considered as seriously damaged.

Subpart—U.S. Standards for Grades of Canned Succotash

PRODUCT DESCRIPTION, GRADES

Subpart—U.S. Standards for Grades of Canned Succotash

PRODUCT DESCRIPTION, GRADES

§ 52.6001 Product description.

Canned succotash is composed of cream-style or whole-grain corn and lima beans or snap beans, with or without tomatoes; may be packed with the addition of water, with or without the addition of sugar or salt; and is sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

§ 52.6002 U.S. Grade A or U.S. Fancy.

U.S. Grade A or U.S. Fancy canned succotash consists of cream-style or whole-grain sweet corn and lima or snap beans, which meet the requirements of U.S. Grade A or U.S. Fancy, for the respective canned or frozen commodities. If tomatoes are an ingredient, they must meet the requirements of U.S. Grade A canned tomatoes for color and absence of defects.

§ 52.6003 U.S. Grade B or U.S. Extra Standard.

U.S. Grade B or U.S. Extra Standard canned succotash consists of cream-style or whole-grained sweet corn and lima or snap beans which meet the requirements of U.S. Grade B or U.S. Extra Standard for the respective canned or frozen commodities. If tomatoes are an ingredient, they must meet the requirements of U.S. Grade B canned tomatoes for color and absence of defects.

§ 52.6004 U.S. Grade C or U.S. Standard.

U.S. Grade C or U.S. Standard canned succotash consists of cream-style or whole-grain sweet corn and lima or snap beans which meet the requirements of U.S. Grade C or U.S. Standard for the respective canned or frozen commodities. If tomatoes are an ingredient, they must meet the requirements of U.S. Grade C canned tomatoes for color and absence of defects.

§ 52.6005 Grade D or Substandard.

Grade D or Substandard canned succotash is succotash that fails to meet the requirements of U.S. Grade C or U.S. Standard.

PROPORTION OF INGREDIENTS

§ 52.6006 Proportion of ingredients.

(a) Federal certificates of grade shall indicate the approximate percentage of ingredients found upon examination. If whole-grain style corn is an ingredient, the percentage of ingredients shall be based on drained weight; otherwise, the percentage of ingredients shall be based on net weight.

(b) The following mixtures of vegetables in canned succotash shall conform with the proportions indicated in Table No. I:

Cream-style corn and snap beans.
Cream-style corn and lima beans (fresh or frozen).
Cream-style corn and lima beans (dry, "soaked").
Cream-style corn, snap beans, and tomatoes.
Cream-style corn, lima beans (fresh or frozen), and tomatoes.
Cream-style corn, lima beans (dry, "soaked"), and tomatoes.
Whole-grain corn and snap beans.
Whole-grain corn and lima beans (fresh or frozen).
Whole-grain corn and lima beans (dry, "soaked").
Whole-grain corn, snap beans, and tomatoes.
Whole-grain corn, lima beans (fresh or frozen), and tomatoes.
Whole-grain corn, lima beans (dry, "soaked"), and tomatoes.

TABLE No. I

	Proportions by weight	
	Not less than	Not more than
	Percent	*Percent*
Corn	50	87½
Snap beans	25	50
Lima beans, fresh	12½	30
Lima beans, dry "soaked"	12½	30
Tomatoes	10	30

FILL OF CONTAINER, DRAINED WEIGHT METHOD

§ 52.6007 Recommended fill of container.

The container shall be filled with succotash as full as practicable without impairment of quality. The product and packing medium shall occupy not less than 90 percent of the total volume capacity of the container.

§ 52.6008 Method for ascertaining drained weight.

Drained weights of canned succotash containing whole-grain corn are determined by emptying the contents of the container upon a circular sieve of proper diameter, containing eight meshes to the inch (0.097-inch perforations) and allowing to drain for 2 minutes. A sieve 8 inches in diameter is used for No. 2½ cans and smaller, and a sieve 12 inches in diameter is used for No. 10 cans.

WORK SHEET

§ 52.6009 Work sheet for canned succotash.

No., Size and kind of container.....
Label.....

Container mark or identification		Cans/Glass						Average
		Cases						
Net weight (ounces)								
Vacuum (inches)								
Drained weight (ounces)								
Percent of each	Corn (Cream style)							
	Corn (Whole kernel)							
	Snap beans							
	Lima beans (Green)							
	Lima Beans (Soaked)							
	Tomatoes							
Grade of each	Corn (Cream style)							
	Corn (Whole kernel)							
	Snap beans							
	Lima beans (Green)							
	Lima beans (Soaked)							
	Tomatoes (Color and defects)							
Grade								

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090, as amended; 7 U.S.C. 1622, 1624)

Effective date. This codification is effective upon publication in the FEDERAL REGISTER.

Dated: May 16, 1967.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 67-5660; Filed, May 23, 1967; 8:45 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 7]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1967

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act". The purpose of this amendment to Sugar Regulation 811 (31 F.R. 15581, as amended) is to determine and to prorate and allocate the deficits in quotas established pursuant to the Act.

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area or country will be unable to fill its quota or proration of a quota. On the basis of the quotas established for Puerto Rico and the Virgin Islands for the calendar year 1967 in § 811.51 of this part and the supply of sugar expected to be available from those areas for marketing in the continental United States during the calendar year 1967, it is herein found that Puerto Rico will be unable to fill its quota by 415,000 short tons, raw value, and the Virgin Islands will be unable to fill its quota of 15,000 short tons, raw value. Accordingly, quota deficits of 430,000 short tons, raw value, are determined herein for Puerto Rico and the Virgin Islands.

Production of sugar in Puerto Rico in 1967 is estimated to approximate 840,000 short tons, raw value. Making allowance for the quantity of sugar required for local consumption and inventory variations, it is expected that the supply of sugar from that area available for marketing in the continental United States will be about 725,000 short tons, raw value. The sugar industry of the Virgin Islands terminated production of sugar with the 1966 crop and no plans are currently in prospect for any resumption of sugar production in the future. Accordingly, quota deficits of 415,000 short tons, raw value, for Puerto Rico and 15,000 short tons, raw value, for the Virgin Islands are herein determined and are prorated and allocated to foreign countries pursuant to section 204(a) of the Act. If production exceeds the present estimates for Puerto Rico, the marketing opportunities for that area within the total mainland quota for that area will not be limited as a result of the deficit determination and proration provided herein.

The Government of The Republic of the Philippines has notified the Department that it will be unable to fill its statutory share of any deficit during the calendar year 1967. Therefore, pursuant to section 204(a) of the Act the entire deficit declaration of 430,000 short tons, raw value, is prorated and allocated to Western Hemisphere countries. Three hundred and twenty-five thousand short tons, raw value, are prorated to Western Hemisphere countries on the basis of quotas established pursuant to Amendment 6 of Sugar Regulation 811 for 1967. The remainder of the deficit is allocated herein to the Dominican Republic pursuant to the following determination issued by the President.

THE WHITE HOUSE

WASHINGTON, MAY 11, 1967

Memorandum for: The Secretary of Agriculture.

Subject: Finding pursuant to Section 204 (a) of the Sugar Act of 1948, as amended by the Sugar Act Amendments of 1965.

In view of the restoration of stable political conditions in the Dominican Republic and the establishment of a democratically elected Government, in accordance with the recommendation of the Conference Report on the Sugar Act Amendments of 1965, that the President use his authority to assign deficits to provide additional quota for the Dominican Republic if the political situation in that Republic warrants such action, and pursuant to Section 204(a) of the Sugar Act of 1948, as amended by the Sugar Act Amendments of 1965, I hereby determine that in view of the unique and heavy burden of rehabilitation expenditure on the Government of the Dominican Republic in 1967 it would be in the national interest to give the Dominican Republic a special allocation of about 105,000 short tons of sugar from the unused Philippine share of the Puerto Rican and Virgin Islands deficits and its pro rata share of the balance of those deficits and of any other deficits that might be declared in 1967.

You are directed to take the necessary steps to allocate deficits in accordance with this finding.

LYNDON B. JOHNSON.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by adding a new § 811.52 and by amending §§ 811.51 and 811.53 as follows:

1. Section 811.51 is amended by designating paragraph (a) as paragraph (a)(1) and by adding paragraph (a)(2) as follows:

§ 811.51 Quotas for domestic areas.

(a)(1) * * *

(2) It is hereby determined pursuant to section 204(a) of the Act that for the calendar year 1967 Puerto Rico and the Virgin Islands will be unable by 415,000 and 15,000 short tons, raw value, respectively, to fill the quotas established for such areas in subparagraph (1) of this paragraph. Pursuant to section 204(b) of the Act the determination of such deficits shall not affect the quotas established in subparagraph (1) of this paragraph.

* * * * *

2. Section 811.52 is added to read as follows:

§ 811.52 Proration and allocation of deficits and quotas in effect.

(a) It is hereby determined that the Republic of the Philippines will be unable to fill any of its statutory share of deficits during the calendar year 1967. The deficits in quotas determined in paragraph (a)(2) of § 811.51 of 430,000 short tons, raw value, are hereby prorated and allocated pursuant to section 204(a) of the Act to Western Hemisphere countries with quotas in effect. In accordance with a Presidential Memorandum dated May 11, 1967, 105,000 short tons, raw value, of the deficit proration is herein allocated to the Dominican Republic. The remainder of the deficits totaling 325,000 short tons, raw value, is prorated to Western Hemisphere countries on the basis of quotas established in Sugar Regulation 811, Amendment 6 for 1967.

(b) In establishing deficit prorations herein for Western Hemisphere countries consideration has been given to the purchase of U.S. agricultural commodities by such countries, by determining that the value of U.S. agricultural exports to each such country exceeded the total net receipts f.a.s. port of shipment derived from the sale of sugar from deficit prorations imported from each such country during the most recent 12-month period for which data are available. Each foreign country which is unable to fill its quota including its deficit proration has the responsibility to notify the Secretary the extent of and reasons for such shortfall.

3. Section 811.53 is amended by amending paragraph (c) to read as follows:

§ 811.53 Quotas for foreign countries.

* * * * *

(c) For the calendar year 1967, the prorations to individual foreign countries other than the Republic of the Philippines pursuant to paragraphs (c) and (d) of section 202 and paragraph (a) of section 204 of the Act are as follows:

Countries	Basic quotas	Temporary quotas and proratons pursuant to sec. 209(d) [1]	Deficits and defict [2] prorations	Total quotas and prorations
	(Short tons, raw value)			
Mexico	211,499	222,079	62,508	496,086
Dominican Republic	206,848	217,194	166,134	590,176
Brazil	206,848	217,194	61,134	485,176
Peru	164,986	173,239	48,761	386,986
British West Indies	82,630	73,448	22,502	178,580
Equador	30,097	31,902	8,895	70,594
French West Indies	25,993	23,104	7,078	56,175
Argentina	25,446	26,718	7,520	59,684
Costa Rica	24,351	25,574	7,198	57,123
Nicaragua	24,351	25,574	7,198	57,123
Colombia	21,889	22,983	6,649	51,341
Guatemala	20,521	21,551	6,065	48,137
Panama	15,322	16,088	4,528	35,938
El Salvador	15,049	15,804	4,448	35,301
Haiti	11,492	12,066	3,396	26,954
Venezuela	10,397	10,916	3,073	24,386
British Honduras	6,019	5,351	1,639	13,009
Bolivia	2,462	2,586	728	5,776
Honduras	2,462	2,571	726	5,759
Australia	98,499	87,000	.....	185,499
Republic of China	41,041	36,250	.....	77,291
India	39,400	34,800	.....	74,200
South Africa	29,003	25,616	.....	54,619
Fiji Islands	21,615	19,092	.....	40,707
Thailand	9,029	7,975	.....	17,004
Mauritius	9,029	7,975	.....	17,004
Malagasy Republic	4,651	4,108	.....	8,759
Swaziland	3,557	3,142	.....	6,699
Ireland	5,351	0	.....	5,351
Total	1,369,837	1,371,000	430,000	3,171,437

[1] Includes the proration of quotas withheld from Cuba and Southern Rhodesia.

[2] Reflects 105,000 short tons, raw value, allocated to the Dominican Republic by Presidential Memorandum dated May 11, 1967. The remainder of the deficits was prorated to all Western Hemisphere countries with quotas in effect.

(Secs. 201, 202, 204 and 403; Stat. 923, as amended, 924, as amended, 925, as amended, and 7 U.S.C. 1111, 1112, 1114, and 1153)

Effective date. This action establishes deficits of 430,000 short tons, raw value, and prorates and allocates such deficits to Western Hemisphere countries with sugar quotas in effect. To permit such countries for which larger quotas or prorations are hereby established to plan and to market in an orderly manner the larger quantity of sugar, it is essential at this time that all persons selling and purchasing sugar for consumption in the continental United States be promptly informed of the changes in marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of 5 U.S.C. 553 is unnecessary, impracticable, and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 17th day of May 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-5692; Filed, May 23, 1967; 8:45 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Apricot Reg. 7]

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 922, as amended (7 CFR Part 922), regulating the handling of apricots grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Washington Apricot Marketing Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of apricots, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 1, 1967. A reasonable determination as to the supply of, and the demand for, such apricots must await the development of the crop and adequate information thereon was not available to the Washington Apricot Marketing Committee until it met on April 25, 1967; recommendation as to the need for, and the extent of, regulation of shipments of such apricots was made at the said meeting of the committee, after consideration of all available information relative to the supply and demand conditions for such apricots, at which time the recommendation and supporting information were submitted to the Department; necessary supplemental data for consideration in connection with the specifications of the provisions were not available until May 10, 1967, shipments of the current crop of such apricots will begin on or about June 1, 1967, and this regulation should be applicable, insofar as practicable, to all shipments of such apricots in order to effectuate the declared policy of the act; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

§ 922.307 Apricot Regulation 7.

(a) Order: (1) Apricot Regulation 5 is hereby terminated at 12:01 a.m., P.d.t., June 1, 1967.

(2) During the period beginning at 12:01 a.m., P.d.t., June 1, 1967, and ending June 30, 1968, no handler shall handle any container of apricots unless:

(i) Such apricots grade not less than Washington No. 1 and are at least reasonably uniform in color: *Provided*, That if such apricots are the Moorpark variety in open containers they are generally well matured; and

(ii) Such apricots measure not less than 1⅝ inches in diameter: *Provided*, That apricots of the Blenheim, Blenril, and Tilton varieties when packed in unlidded containers may measure not less than 1¼ inches: *And provided further*, That not more than 10 percent, by count, of such apricots may fail to meet the applicable minimum diameter requirement.

(3) Notwithstanding any other provision of this section, any individual shipment of apricots which meets each of the following requirements may be handled without regard to the provisions of this paragraph, of § 922.41 (Assessments), and of § 922.55 (Inspection and certification):

(i) The shipment consists of apricots sold at the orchard for home use and not for resale;

(ii) The shipment does not, in the aggregate, exceed 500 pounds, net weight, of apricots; and

(iii) Each container is stamped or marked with the words "not for resale" in letters at least one-half inch in height.

(b) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; "diameter" and "Washington No. 1" shall have the same meaning as when used in the State of Washington Department of Agriculture "Washington Standards for Apricots," effective May 31, 1966; "reasonably uniform in color" means that the apricots in the individual container do not show sufficient variation in color to materially affect the general appearance of the apricots; and "generally well matured" means that, with respect to not less than 90 percent, by count, of the apricots in any lot of containers, and not less than 85 percent, by count, of such apricots in any container in such lot, at least 40 percent of the surface area of the fruit is at least as yellow as Shade 4 on the U.S. Standard Ground Color Chart for Apples and Pears in the Western States.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 19, 1967.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-5776; Filed, May 23, 1967; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 125]

PART 1125—MILK IN PUGET SOUND, WASH., MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Puget Sound, Wash., marketing area (7 CFR Part 1125), it is hereby found and determined that:

(a) The following provision of the order no longer tends to effectuate the declared policy of the Act and is hereby suspended: In paragraph (c)(3) of § 1125.44 (interplant movement provisions) the provision "located in the marketing area or within any of the counties of Kitsap, Mason, Clallam, Jefferson, and Pierce in the State of Washington,". The provision relates to the classification of milk moved by transfer or diversion from a pool plant to a nonpool plant.

(b) Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension will permit the Class II classification of milk (under certain conditions and within certain limits) which is transferred or diverted to a nonpool plant regardless of its location. The order presently provides that milk which is transferred or diverted to a nonpool plant located outside the marketing area or outside of a designated five-county area be classified as Class I.

(4) This suspension is needed to permit an association of producers supplying the market to move reserve milk for which it has been unable to find an outlet in the marketing area to a nonpool plant located outside of the marketing area.

(5) Interested parties were afforded opportunity to file written data, views, or arguments concerning this suspension (32 F.R. 7025). None was filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for an indefinite period.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 18, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-5757; Filed, May 23, 1967; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS AND POLICIES

[Amdt. 4]

PART 1400—RULES OF CONTRACT DISPUTES BOARD FOR COMMODITY CREDIT CORPORATION

Manner of Filing Appeals and Hearings

The rules of the Contract Disputes Board for Commodity Credit Corporation, as amended, and revised (14 F.R. 1865, 20 F.R. 8535, 28 F.R. 579, 28 F.R. 13293, 29 F.R. 10495, and 30 F.R. 8457) are further amended as follows:

1. Section 1400.5(a) is amended by deleting the period at the end of the last sentence of the paragraph and adding the following: ", unless the appeal is from a finding of fact of a Contracting Officer of the Corporation within the scope of and required by a contract disputes clause which provides a method for final and conclusive determination of disputed questions of fact."

2. Section 1400.8(f) is amended by deleting subparagraph (2).

Effective date: Date of publication.

Signed at Washington, D.C., on May 18, 1967.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

W. E. UNDERHILL,
Chairman, Contract Disputes Board for Commodity Credit Corporation.

[F.R. Doc. 67-5774; Filed, May 23, 1967; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 71—GENERAL PROVISIONS

Interstate Movement of Diseased Animals

Pursuant to the provisions of the Act of February 2, 1903, as amended, the Act of May 29, 1884, as amended, and the Act of July 2, 1962 (21 U.S.C. 111–113, 115, 117, 120, 129–132), Part 71, Title 9, Code of Federal Regulations, restricting the interstate movement of animals and poultry because of contagious, infectious, and communicable diseases, is hereby amended in the following respects:

1. Paragraph (e) of § 71.3 is redesignated as paragraph (f) of said section.

2. A new paragraph (e) is added to said § 71.3 to read as follows:

§ 71.3 Interstate movement of diseased animals and poultry generally prohibited.

* * * * *

(e) Notwithstanding the provisions of paragraphs (a) and (b) of this section, the Director of the Division in specific cases and under such conditions as he may prescribe to prevent the dissemination of disease may provide for the interstate movement of individual animals affected with contagious, infectious, or communicable disease to a designated diagnostic or research facility when accompanied by a permit from the appropriate livestock sanitary official in the State of destination: *Provided*, That animals so moved shall be maintained in quarantine at such designated facility until freed of disease as determined by tests recognized by the Department, until natural death, or until disposal by euthanasia.

* * * * *

(Secs. 4, 5, 23 Stat. 32, as amended, sec. 1, 2, 32 Stat. 791–792, as amended; 21 U.S.C. 111–113, 115, 120; 29 F.R. 16210, as amended; 30 F.R. 5799, as amended)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment permits the Director of the Animal Health Division to authorize the interstate movement of specific animals which are affected with contagious, infectious, or communicable diseases to a designated diagnostic or research center in accordance with specified conditions. It has been determined that the movement of animals in accordance with the provisions of the amendment would not endanger the livestock of the United States.

The amendment relieves certain restrictions presently imposed, and must be made effective promptly to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of May 1967.

E. P. REAGAN,
Acting Deputy Administrator, Agricultural Research Service.

[F.R. Doc. 67-5760; Filed, May 23, 1967; 8:47 a.m.]

PART 73—SCABIES IN CATTLE

Revocation of Quarantine

Pursuant to sections 1 and 3 of the Act of March 3, 1905, 33 Stat. 1264–1265, as

amended, sections 4 and 5 of the Act of May 29, 1884, 23 Stat. 32, as amended, sections 1 and 2 of the Act of February 2, 1903, 32 Stat. 791–792, as amended, and sections 3 and 11 of the Act of July 2, 1962, 76 Stat. 130, 132 (21 U.S.C. 111–113, 120, 121, 123, 125, 134b, 134f), the provisions in § 73.1a of Part 73, Title 9, Code of Federal Regulations, as amended, quarantining certain areas in California and Texas because of cattle scabies, are hereby revoked.

Effective date. This revocation shall become effective upon publication in the FEDERAL REGISTER. However, such provisions shall be deemed to continue in full force and effect for the purpose of sustaining any action or other proceeding with respect to any right that accrued, liability that was incurred, or violation that occurred prior to said date.

This action releases from quarantine Merced County in California and Briscoe, Castro, Floyd, Hale, Lamb, Motley, Randall, and Swisher Counties in Texas, heretofore quarantined because of cattle scabies. Hereafter, the restrictions pertaining to the interstate movement of cattle from quarantined areas, contained in 9 CFR Part 73, as amended, will not apply to such counties. However, the restrictions pertaining to such movement from nonquarantined areas, contained in this part, will apply thereto.

This revocation relieves certain restrictions presently imposed, and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the revocation are impracticable and unnecessary, and the revocation may be made effective less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 1, 3, 33 Stat. 1264–1265, as amended, secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, secs. 3, 11, 76 Stat. 130, 132; 21 U.S.C. 111–113, 120, 121, 123, 125, 134b, 134f; interpret or apply secs. 2, 4, 33 Stat. 1264–1265, as amended, secs. 6, 7, 23 Stat. 32, as amended; 21 U.S.C. 115, 117, 124, 126; 29 F.R. 16210, as amended, 30 F.R. 5799, as amended)

Done at Washington, D.C., this 18th day of May 1967.

E. P. REAGAN,
Acting Deputy Administrator,
Agricultural Research Service.

[F.R. Doc. 67-5777; Filed, May 23, 1967; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. O]

PART 215—LOANS TO EXECUTIVE OFFICERS OF MEMBER BANKS

Exemption of Certain Indebtedness

1. Effective July 1, 1967, § 215.1(c) is amended to read as follows:

§ 215.1 Definitions.

For the purposes of this part:

* * * * *

(c) *"Loan", "loaning", "extension of credit", and "extend credit".* The terms "loan", "loaning", "extension of credit", and "extend credit" mean the making of a loan or the extending of credit in any manner whatsoever, and include:

(1) Any advance by means of an overdraft, cash item, or otherwise;

(2) The acquisition by discount, purchase, exchange, or otherwise of any note, draft, bill of exchange, or other evidence of indebtedness upon which an executive officer may be liable as maker, drawer, indorser, guarantor, or surety;

(3) The increase of an existing indebtedness, except on account of accrued interest or on account of taxes, insurance, or other expenses incidental to the existing indebtedness and advanced by the bank for its own protection;

(4) Any advance of unearned salary or other unearned compensation for periods in excess of 30 days; and

(5) Any other transaction as a result of which an executive officer becomes obligated to a bank, directly or indirectly by any means whatsoever, by reason of an indorsement on an obligation or otherwise, to pay money or its equivalent.

Such terms, however, do not include:

(i) Advances against accrued salary or other accrued compensation, or for the purpose of providing for the payment of authorized travel or other expenses incurred or to be incurred on behalf of the bank;

(ii) The acquisition by a bank of any check deposited in or delivered to the bank in the usual course of business unless it results in the granting of an overdraft to or the carrying of a cash item for an executive officer;

(iii) The acquisition of any note, draft, bill of exchange, or other evidence of indebtedness, through a merger or consolidation of banks or a similar transaction by which a bank acquires assets and assumes liabilities of another bank or similar organization, or through foreclosure on collateral or similar proceeding for the protection of the bank; or

(iv) Indebtedness arising by reason of general arrangements under which a bank (*a*) acquires charge or time credit accounts or (*b*) makes payments to or on behalf of participants in a bank credit card plan, check credit plan, or similar plan, except that this subdivision (iv) shall not apply to indebtedness of an executive officer to his own bank to the extent that the aggregate amount thereof exceeds $1,000 or to any such indebtedness to his own bank that involves prior individual clearance or approval by the bank other than for the purpose of determining whether his participation in the arrangement is authorized or whether any dollar limit has been or would be exceeded.

* * * * *

2a. The purpose of this amendment is to add a new subdivision (iv) that excludes from the coverage of section 22(g) of the Federal Reserve Act (12 U.S.C. 375a) and this part certain indebtedness of an executive officer to a bank other than his own bank arising out of the use of charge accounts and credit card or check credit plans. It would also exclude an executive officer's indebtedness to his own bank arising from such transactions except in the case of a particular indebtedness that involves prior individual clearance or approval by his bank other than routine confirmation of the right to incur such indebtedness required of all participants in the general plan, but in no event to the extent that the aggregate amount of his indebtedness exceeds $1,000. Because of its impersonal nature, indebtedness of the type within the coverage of the new exclusion is not regarded as falling within the general intent of section 22(g) of the Federal Reserve Act. However, in order to guard against abuses or evasions of the basic purposes of the law, the amendment prescribes certain limitations in the case of indebtedness of an executive officer to his own bank.

b. This amendment was the subject of notices of proposed rule making published in the FEDERAL REGISTER (31 F.R. 11399, Aug. 27, 1966, and 32 F.R. 4124, Mar. 16, 1967) and was adopted after consideration of all relevant material, including responses received from interested persons pursuant to these notices.

Dated at Washington, D.C., this 15th day of May 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-5732; Filed, May 23, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8179; Amdt. 13-5]

PART 13—ENFORCEMENT PROCEDURES

Administrative Disposition of Violations

The purpose of this amendment is to clarify the distinction between the administrative disposition of violations that are handled by Flight Standards personnel in the field and legal enforcement actions that are processed by the FAA counsel.

In furthering the FAA decentralization program and to provide greater discretion at the lowest operational level, authority is being given to personnel at that level to make final disposition by administrative action in place of legal enforcement action, whenever it is determined to be the most appropriate means of obtaining compliance with the Federal Aviation Regulations.

At present a violation disposed of by letter of reprimand is considered a legal

enforcement action (§ 13.13). This amendment establishes safety compliance notices including a reprimand to violator if appropriate and letters of correction as administrative actions. Consequently, § 13.13 is deleted and § 13.67 (a) is amended to delete authority of FAA Hearing Officers to issue reprimands. Section 13.11 is rewritten and placed into a new Subpart B—Administrative Actions. The remaining sections in present Subpart B are unchanged and are placed in new Subpart C—Legal Enforcement Actions, and present Subpart C is redesignated as Subpart D.

Since this amendment is procedural in nature and does not impose a burden on any person, notice and public procedure thereon are not required and the amendment may be made effective immediately.

In consideration of the foregoing, Part 13 of the Federal Aviation Regulations (14 CFR Part 13) is amended, effective May 23, 1967, as follows:

1. By amending the heading of Subpart A to read "Subpart A—Investigative Procedures";

2. By amending the heading of Subpart B, and § 13.11, to read as follows:

Subpart B—Administrative Actions

§ 13.11 Administrative disposition of certain violations.

(a) If it is found that a violation of the Federal Aviation Act of 1958, or an order or regulation issued under it, does not require legal enforcement action, a Flight Standards inspector or other appropriate official may issue a safety compliance notice including a letter of reprimand to the violator if appropriate, or a letter of correction that confirms decisions and states the corrective action agreed to as acceptable to the FAA.

(b) Except for any case in which the agreed upon corrective action is not successfully completed, any action taken under paragraph (a) of this section terminates the matter upon which the action was based. If the agreed upon corrective action is not successfully completed, legal enforcement action may be initiated.

§ 13.13 [Deleted]

3. By deleting § 13.13 and inserting the following new heading before § 13.15:

Subpart C—Legal Enforcement Actions

§ 13.19 [Amended]

4. By striking out the words "Subpart C" in the last sentence of § 13.19(c) and inserting the words "Subpart D" in place thereof.

5. By redesignating present Subpart C as Subpart D.

6. By amending § 13.67(a) to read as follows:

§ 13.67 Final order of Hearing Officer.

(a) If the final order of the Hearing Officer makes a decision on the merits, it contains a statement of his findings and conclusions on all material issues of fact and law. If the Hearing Officer determines that safety in air commerce or air transportation and the public interest so require, he may issue an order amending, suspending or revoking the respondent's certificate. The certificate action imposed may not be more severe than that proposed in the notice of proposed certificate action. If the Hearing Officer finds that the allegations of the notice have been proved, but that no sanction is required, he makes appropriate findings and orders the notice terminated. If the Hearing Officer finds that the allegations of the notice have not been proved, he orders the notice dismissed. If the Hearing Officer finds it to be equitable and in the public interest, he may order the proceeding terminated upon payment by the respondent of a civil penalty in an amount agreed upon by the parties.

* * * * *

(Secs. 302(f), 303(d), 313(a), 1001, Federal Aviation Act of 1958; 49 U.S.C. 1343, 1344, 1354, 1481)

Issued in Washington, D.C., on May 16, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5738; Filed, May 23, 1967; 8:46 a.m.]

[Docket No. 7831; Amdts. 23-6, 25-12, 43-7, 91-40]

ALTIMETER SYSTEM REQUIREMENTS

Miscellaneous Amendments to Chapter

The purpose of this amendment to Parts 23, 25, 43, and 91 of the Federal Aviation Regulations is to revise the design standards concerning static pressure systems and to revise the test requirements applicable to the maintenance of altimeter systems.

This amendment is based on a notice of proposed rule making (Notice No. 66-44) published in the FEDERAL REGISTER on December 31, 1966 (31 F.R. 16790).

Numerous comments were received in response to Notice 66-44, most of which were in agreement with the proposal. The more pertinent of the comments that raised questions together with the changes in the proposal resulting therefrom are discussed hereinafter.

With reference to the static pressure system proof test required under both Part 23 and Part 25, an inconsistency in wording was noted in regard to the pressure differential at which the tests are run for unpressurized aircraft. Since there is no reason for different requirements, § 25.1325(c)(2)(i) has been modified to require a pressure differential of approximately 1 inch of mercury rather than the absolute value of 1 inch as stated in the notice.

One commentator pointed out that the requirement that the proof tests of the static pressure systems on unpressurized aircraft be conducted with the static pressure system evacuated to a pressure differential based on an altimeter reading of 1,000 feet at sea level could be confusing to people located at elevations above 1,000 feet mean sea level. The FAA agrees and §§ 23.1325(b)(2)(i) and 25.1325(c)(2)(i) have been further amended to permit the proof test of unpressurized aircraft with the static pressure system evacuated to an altimeter reading of 1,000 feet above the airplane elevation at the time of the test.

It was recommended that § 25.1325(c)(2)(ii) be changed in its entirety to provide a new leak test tolerance formula that would reduce test ambiguities resulting from calculating the 2 percent tolerance using pounds per square inch or feet altitude at different airport elevations. In this connection, the FAA previously investigated the feasibility of establishing a quantitative static system test. That investigation, however, indicated that a quantitative test was much too complex for general use but that the simplified qualitative test would be satisfactory and would provide adequate results without any adverse effect on safety. The latter was accordingly proposed in the notice. In the interest of simplicity and ease of performance, the FAA is retaining the test references in terms of feet altitude even though this qualitative approach may give minor differences in test results where the tests are run at different field elevations.

One commentator stated that the proposed § 23.1325(b)(3) requirement for a correction card where altimeter readings on primary and alternate static systems differ by more than 50 feet, is too restrictive at high altitudes and high Mach numbers and suggested clarification as to the range of altitude and Mach numbers applying to this tolerance. However, the FAA believes that the proposed requirement is necessary to assure proper vertical separation considering the entire altitude-speed range. In the high Mach—high altitude regime, the static system accuracy may be marginal at best and errors introduced while on the alternate system could lead to hazardous operation if the pilot is not informed of the magnitude of the error. In the low speed—low altitude regime, static system errors are minimized so that correspondence between the two systems should pose no problem.

As noted by one commentator, the first altitude entry in Table I, Appendix E, Part 43, was inadvertently printed as 1,000 feet when it should have been −1,000. The table has been corrected accordingly.

One of the comments contained a recommendation that section (c) of Appendix E should be changed to require recording of date and test altitude on the altimeter dial. The FAA does not, however, agree with the recommended change. Such a requirement would result in the unnecessary cluttering of the instrument face and unnecessary expense and inconvenience due to instrument removal and teardown in order to record the information on subsequent inspections. The requirement that the date and maximum altitude to which the altimeter has been tested be recorded on the altimeter, is necessary to provide the information for entry in the airplane log or other permanent record when the instrument is installed in an airplane. With the maximum altitude for the altimeter entered in the aircraft log, there

is no need, insofar as the pilot is concerned, to enter that data on the face of the instrument.

In connection with the altimeter test and inspection, comments variously suggested the importance of preliminary pitot system checks to preclude damage to the airspeed meter, of periodic purging of pitot and static lines, and of information concerning the accuracy of altimeter test equipment. The FAA sees merit in these comments, and contemplates that to the extent that it has not already been accomplished, such information will be presented as acceptable means of compliance with the proposed rules in appropriate advisory circulars.

One commentator suggested changes to section (c) of Appendix E to eliminate the requirement for commercial operators to prepare records under § 43.9 in addition to those they presently keep. Commercial operators of large aircraft maintained in accordance with a continuous airworthiness program under Part 121 are exempted from the requirements of § 91.170 by the provisions of § 91.161. Therefore, there is no need for the recommended change insofar as such operators are concerned. On the other hand, commercial operators of small aircraft are governed by Part 135 of the FARs and they are not required to maintain their aircraft under a continuous airworthiness program. The provisions of present § 43.9(a) apply to such operators and they would not, by the proposed rule, be required to prepare records in addition to those they presently keep. The recommended change, is, therefore, unnecessary.

Expressing the belief that the proposed regulations would require periodic removal of the altimeter instruments for the required tests and inspections, one comment indicated that extensive work behind the instrument panel can cause malfunctions of other equipment disturbed in the process. For this reason, the comment suggested that there should be an amendment to allow airframe repair stations to use external connections to test the static system and the altimeter using a reference altimeter that is calibrated against a master semiannually. The FAA presently permits the use of external connections to test the static and altimeter systems. However, the advisory circular covering this matter suggests that the reference altimeter be calibrated once each month until the necessary interval between calibration checks can be determined. Using this procedure, it may be that the accuracy of the reference altimeter can be maintained by a semiannual calibration.

The proposal has not been revised in accordance with the recommendation that altimeters and static systems be tested and inspected once each year instead of each 24 months. Based on current experience as reported by major altimeter manufacturers and repair stations, the FAA has determined that an altimeter instrument and static system will maintain accuracy and integrity for 2 years following a test and inspection. To require yearly tests of either or both systems would impose a burden on owners and operators without a corresponding increase in safety.

Numerous comments were received concerning the persons authorized to perform the tests and inspections of the static pressure system and the altimeter instrument. One comment suggested that the designation should have included noncertificated repair stations and fixed base operators. In this connection, it should be pointed out that the static pressure system and altimeter instrument tests and inspections are maintenance items and must, therefore, be performed by persons certificated to perform maintenance. Moreover, the tests and inspections require sophisticated test equipment and a capability that must be maintained under a system of periodic inspections. It is only through the certification procedures that the FAA is able to regularly conduct surveillance of the approved facilities and make periodic determinations as to their capability. Another comment suggested that a certificated "A & P" mechanic should be permitted to conduct the necessary tests and inspections. The FAA agrees with this comment insofar as the static pressure system tests are concerned and the regulation has been so revised. However, the FAA does not consider that it would be appropriate to authorize certificated mechanics to conduct the required altimeter tests and inspections in the light of the test equipment and capability that is necessary for those tests and inspections. The opinion was also expressed that the proposal would permit certificated repair stations with airframe ratings to accomplish an instrument major repair without the necessity of obtaining an instrument rating. As proposed, the rule permits a repair station having an airframe rating to conduct the tests and inspections necessary for the altimeter instrument. However, the rule does not permit repair stations with only an airframe rating to accomplish any repairs to the instrument. Contrary to the understanding of this commentator, the altimeter tests covered under this proposal are not considered to be major repairs to the altimeter. Finally, the FAA does not concur with the recommendation that the provision designating the persons authorized to conduct the required inspections and tests be deleted from § 91.170 and added to Appendix E in Part 43. While it is true that Appendix E contains the scope of the required inspections and tests that the designated persons are authorized to conduct, the FAA considers that from the standpoint of the owner or operator of an airplane, it would be better to set forth the designation in the operating requirements of Part 91 rather than as part of the technical details of the inspections and tests in the Appendix to Part 43.

The present requirements of § 91.170 apply only to persons operating an airplane in controlled airspace under IFR. The phrase "in controlled airspace," which limits the applicability of § 91.170, was incorporated into the regulation after consideration by the Agency in an appropriate rule-making action. However, a comment has now been received in response to Notice 66-44 requesting the FAA to delete the phrase "in controlled airspace" on the ground that a substantial number of IFR flights are made within uncontrolled airspace and that there is no reason why the altimetry maintenance and alteration standards should not apply to IFR flight in both controlled and uncontrolled airspace. While this comment involves a substantive change to the present requirements that goes beyond the scope of this notice of proposed rule making, the FAA believes that it warrants further consideration in connection with other altitude indication projects now in process.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all matter presented.

In consideration of the foregoing, Parts 23, 25, 43, and 91 of the Federal Aviation Regulations are amended effective August 1, 1967, as follows:

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

1. Section 23.1325(b) (2) and (3) is amended to read as follows:

§ 23.1325 Static pressure system.

* * * * * * *

(b) * * *

(2) A proof test must be conducted to demonstrate the integrity of the static pressure system in the following manner:

(i) *Unpressurized airplanes.* Evacuate the static pressure system to a pressure differential of approximately 1 inch of mercury or to a reading on the altimeter, 1,000 feet above the aircraft elevation at the time of the test. Without additional pumping for a period of 1 minute, the loss of indicated altitude must not exceed 100 feet on the altimeter.

(ii) *Pressurized airplanes.* Evacuate the static pressure system until a pressure system until a pressure differential equivalent to the maximum cabin pressure differential for which the airplane is type certificated is achieved. Without additional pumping for a period of 1 minute, the loss of indicated altitude must not exceed 2 percent of the equivalent altitude of the maximum cabin differential pressure or 100 feet, whichever is greater.

(3) If a static pressure system is provided for any instrument, device, or system required by the operating rules of this chapter, each static pressure port must be designed or located in such a manner that the correlation between air pressure in the static pressure system and true ambient atmospheric static pressure is not altered when the airplane encounters icing conditions. An anti-icing means or an alternate source of static pressure may be used in showing compliance with this requirement. If the reading of the altimeter, when on the alternate static pressure system differs from the reading of the altimeter when

on the primary static system by more than 50 feet, a correction card must be provided for the alternate static system.

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

2. Section 25.1325(c)(2) is amended to read as follows:

§ 25.1325 **Static pressure systems.**

* * * * *

(c) * * *

(2) It is airtight except for the port into the atmosphere. A proof test must be conducted to demonstrate the integrity of the static pressure system in the following manner:

(i) *Unpressurized airplanes.* Evacuate the static pressure system to a pressure differential of approximately 1 inch of mercury or to a reading on the altimeter, 1,000 feet above the airplane elevation at the time of the test. Without additional pumping for a period of 1 minute, the loss of indicated altitude must not exceed 100 feet on the altimeter.

(ii) *Pressurized airplanes.* Evacuate the static pressure system until a pressure differential equivalent to the maximum cabin pressure differential for which the airplane is type certificated is achieved. Without additional pumping for a period of 1 minute, the loss of indicated altitude must not exceed 2 percent of the equivalent altitude of the maximum cabin differential pressure or 100 feet, whichever is greater.

* * * * *

PART 43—MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

3. Appendix E of Part 43 is amended as follows:

a. The second sentence of subparagraph (ii) of paragraph (b)(1) is amended to read as follows:

(b) Altimeter:
(1) * * *
(ii) *Hysteresis.* * * * Pressure shall be increased at a rate simulating a descent in altitude at the rate of 5,000 to 20,000 feet per minute until within 3,000 feet of the first test point (50 percent of maximum altitude). * * *

* * * * *

b. Section (c) is amended to read as follows:

(c) Records: Comply with the provisions of § 43.9 of this chapter as to content, form, and disposition of the records. The person performing the altimeter tests shall record on the altimeter the date and maximum altitude to which the altimeter has been tested and the persons approving the airplane for return to service shall enter that data in the airplane log or other permanent record.

c. Table I is amended to read as follows:

TABLE I

Altitude (feet)	Equivalent pressure (inches of mercury)	Tolerance ±(feet)
−1,000	31.018	20
0	29.921	20
500	29.385	20
1,000	28.856	20
1,500	28.335	25
2,000	27.821	30
3,000	26.817	30
4,000	25.842	35
6,000	23.978	40
8,000	22.225	60
10,000	20.577	80
12,000	19.029	90
14,000	17.577	100
16,000	16.216	110
18,000	14.942	120
20,000	13.750	130
22,000	12.636	140
25,000	11.104	155
30,000	8.885	180
35,000	7.041	205
40,000	5.538	230
45,000	4.355	255
50,000	3.425	280

PART 91—GENERAL OPERATING AND FLIGHT RULES

4. Part 91 is amended as follows:

§ 91.165 **[Amended]**

a. Section 91.165 is amended by inserting the words "and § 91.170" immediately after the reference "§ 91.169".

b. Section 91.170 is amended to read as follows:

§ 91.170 **Altimeter system tests and inspections.**

(a) No person may operate an airplane in controlled airspace under IFR unless, within the preceding 24 calendar months, each static pressure system and each altimeter instrument has been tested and inspected and found to comply with Appendix E of Part 43 of this chapter. The static pressure system and altimeter instrument tests and inspections may be conducted by—

(1) The manufacturer of the airplane on which the tests and inspections are to be performed;

(2) A certificated repair station properly equipped to perform these functions and holding—

(i) An instrument rating, Class I;

(ii) A limited instrument rating appropriate to the make and model altimeter to be tested;

(iii) A limited rating appropriate to the test to be performed;

(iv) An airframe rating appropriate to the airplane to be tested; or

(v) A limited rating for a manufacturer issued for the altimeter in accordance with § 145.101(b)(4) of this chapter; or

(3) A certificated mechanic with an airframe rating (static pressure system tests and inspections only).

(b) The first test and inspection required by this section for airplanes, under annual inspection is not required to be made until the first annual inspection after July 31, 1967.

(c) No person may operate an airplane in controlled airspace under IFR at an altitude above the maximum altitude to which an altimeter of that airplane has been tested.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on May 16, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5739; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 67-CE-15]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On March 7, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3780) stating that the Federal Aviation Administration proposed to alter controlled airspace in the Faribault-Owatonna, Minn., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received offered no objection to the proposal.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the Faribault-Owatonna, Minn., transition area is amended to read:

FARIBAULT-OWATONNA, MINN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Faribault Municipal Airport (latitude 44°-19'35" N., longitude 93°18'30" W.); within a 5-mile radius of Owatonna Municipal Airport (latitude 44°07'15" N., longitude 93°15'-15" W.); within 2 miles each side of the 200° bearing from Faribault Municipal Airport extending from the Faribault 5-mile radius area to 9 miles south of the airport; and within 2 miles each side of the 315° bearing from Owatonna Municipal Airport, extending from the Owatonna 5-mile radius area to 9 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface in the Faribault-Owatonna terminal area bounded on the north by the arc of a 36-mile radius circle centered on the Minneapolis-St. Paul International Airport (latitude 44°53'08" N., longitude 93°13'11" W.), on the east by V-82, on the south by V-24 and on the west by V-170, excluding the portion which overlies the Hope, Minn., and Rochester, Minn., transition areas.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 8, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-5740; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 67-CE-23]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On March 10, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3947) stating that the Federal Aviation Administration proposed to alter controlled airspace in the Coldwater, Mich., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

The Coldwater, Mich., Branch County Memorial Airport coordinates recited in the notice of proposed rule making have been changed slightly in this final rule. Since this change is minor in nature and imposes no additional burden on anyone, it is being incorporated in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the Coldwater, Mich., transition area is amended to read:

COLDWATER, MICH.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Branch County, Memorial Airport (latitude 41°56'05" N., longitude 85°02'55" W.), within 2 miles each side of the Litchfield, Mich. VORTAC 239° radial extending from the 5-mile radius area to 8 miles northeast of the airport, and within 2 miles each side of the 209° bearing from the Branch County Memorial Airport extending from the 5-mile radius area to 8 miles southwest of the airport.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 10, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-5741; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 67-SO-56]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Eufaula, Ala., transition area.

The Eufaula transition area is described in § 71.181 (32 F.R. 2148).

The geographic coordinate for the Weedon Airport is published as "* * * (latitude 31°56'45" N., longitude 85°08'15" W.) * * *".

Because of a refinement of the geographic coordinate by Coast and Geodetic Survey, it is necessary to alter the transition area accordingly.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (32 F.R. 2148) the Eufaula, Ala., transition area is amended as follows: "* * * (latitude 31°56'45" N., longitude 85°08'15" W.) * * *" is deleted and "* * * (latitude 31°57'05" N., longitude 85°07'45" W.) * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 15, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-5742; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 67-CE-51]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the segment of VOR Federal airway No. 218 between Rochester, Minn., and Rockford, Ill.

V-218 airway from Rochester, Minn., to Waukon, Iowa, is a common segment with VOR Federal airway No. 24 south alternate. Action is taken herein to raise the floor of this segment of V-218 to 1,200 feet AGL so as to provide compatability on the floors for this common airway segment. In addition, action is taken herein to realign V-218 segment between Waukon and Rockford via the intersection of the Waukon 119° T (114° M) and the Rockord 304° T (301° M) radials. This realignment of V-218 will permit the deletion of the Rewey, Wis., VOR as a facility within the VOR airway structure and also permit its decommissioning. Since this realignment of V-218 will not alter the extent of controlled airspace, notice and public procedure are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967 as hereinafter set forth.

In § 71.123 (32 F.R. 2009) V-218 is amended by deleting all before "12 AGL INT Rockford 136°" and substituting "From Rochester, Minn., 12 AGL via Waukon, Iowa; 12 AGL INT Waukon 119° and Rockford, Ill., 304° radials; 12 AGL Rockford;" therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 16, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-5743; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 66-WE-52]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On March 1, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3401) stating that the Federal Aviation Agency was considering raising the floors of Federal airway segments in the Seattle, Wash., ARTC Center area.

Interested persons were afforded an opportunity to participate in the proposed rule making by the submission of comments. All comments received were favorable.

Subsequent to publication of the notice, V-440 was designated from Seattle to Victoria, British Columbia, Canada. A floor for this airway is considered herein. V-99 was renumbered as segments of V-165 and V-287; V-281 was renumbered as a segment of V-536; and V-283 was renumbered as a segment of V-165 (Airspace Docket No. 66-WA-42, 32 F.R. 6434) effective June 22, 1967. In as much as the floors proposed for V-99, V-281, V-283, and V-287 were incorporated in Airspace Docket No. 66-WA-42, action on these floors is not considered herein. A proposed floor for V-520 is not considered herein as action to realign and extend this airway to The Dalles has been postponed until August 17, 1967 (Airspace Docket No. 66-WE-70).

In addition, several changes differing from those proposed in the notice are incorporated herein for aeronautical chart legibility and to include airspace in which radar vectoring is currently accomplished. Since these changes are, in each case, minor changes in distance and altitudes of floors and are made in the interest of safety, the Administrator has determined that notice and public procedure thereon are impracticable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth.

1. Section 71.123 (32 F.R. 2009, 3219, 3438, 5988) is amended as follows:

a. In V-2 all before "12 AGL Spokane, Wash.," is deleted and "From Seattle, Wash., 12 AGL Ellensburg, Wash., including a 12 AGL south alternate via INT Seattle 124° and Ellensburg 274° radials; 12 AGL Ephrata, Wash., including a 12 AGL north alternate from Seattle to Ephrata via Wenatchee, Wash.;" is substituted therefor.

b. In V-4 all before "12 AGL Pendleton, Oreg.;" is deleted and "From Neah Bay, Wash., RBN, 12 AGL Port Angeles, Wash.; 12 AGL INT Port Angeles 090° and Seattle, Wash., 329° radials; 12 AGL Seattle; 12 AGL Yakima, Wash., including a 12 AGL south alternate from Seattle to Yakima via INT Seattle 163° and Olympia, Wash., 084° radials and INT Olympia 084° and Yakima 305° radials, excluding the airspace between the main and this alternate airway;" is substituted therefor.

c. In V–23 all after "12 AGL Red Bluff;" is deleted and "58 miles, 12 AGL, 95 MSL Fort Jones, Calif.; 12 AGL Medford, Oreg., including a 12 AGL east alternate via INT Fort Jones 042° and Medford 157° radials and also a 12 AGL west alternate via INT Fort Jones 340° and Medford 235° radials, excluding the airspace between the main and these alternate airways; 12 AGL Eugene, Oreg., including a 12 AGL west alternate from Medford to Eugene via Roseburg, Oreg., and INT Roseburg 003° and Eugene 187° radials; 12 AGL Portland, Oreg., including a 12 AGL east alternate and also a 12 AGL west alternate from Eugene to Portland via Corvallis, Oreg., INT Corvallis 352° and Newberg, Oreg., 204° radials and Newberg; 20 miles, 12 AGL, 45 MSL INT Portland 350° and Seattle, Wash., 197° radials; 21 miles, 45 MSL, 12 AGL Seattle; 12 AGL Paine, Wash.; 12 AGL Bellingham, Wash.; 12 AGL via INT Bellingham 290° radial to the United States/Canadian border." is substituted therefor.

d. In V–25 all between "12 AGL Red Bluff, Calif.;" and "12 AGL INT Yakima 305°" is deleted and "53 miles, 12 AGL, 95 MSL INT Red Bluff 015° and Klamath Falls, Oreg., 181° radials; 19 miles, 95 MSL, 12 AGL Klamath Falls; 21 miles, 12 AGL, 77 miles, 90 MSL, 12 AGL Redmond, Oreg.; 12 AGL The Dalles, Oreg.; 12 AGL Yakima, Wash., including a 12 AGL east alternate via INT The Dalles 032° and Yakima 183° radials;" is substituted therefor.

e. In V–27 all between "12 AGL Fortuna, Calif.;" and "The airspace below 2,000 feet MSL" is deleted and "12 AGL Crescent City, Calif.; 31 miles, 12 AGL, 32 miles, 59 MSL, 12 AGL North Bend, Oreg.; 12 AGL Newport, Oreg.; 39 miles, 12 AGL, 30 miles, 45 MSL, 12 AGL Astoria, Oreg.; 30 miles, 12 AGL, 17 miles, 45 MSL, 12 AGL Olympia, Wash.; 12 AGL INT Olympia 010° and Seattle, Wash., 249° radials; 12 AGL Seattle, including a 12 AGL west alternate from Astoria to INT Olympia 010° and Seattle 249° radials via Hoquiam, Wash., excluding the airspace between the main and this west alternate." is substituted therefor.

f. In V–112 all before "Spokane, Wash.," is deleted and "From Astoria, Oreg., 44 miles, 12 AGL; 15 miles, 6-mile wide, 12 AGL Portland, Oreg.; 12 AGL The Dalles, Oreg.; 12 AGL INT The Dalles 096° and Pendleton, Oreg., 254° radials; 12 AGL Pendleton; 53 miles, 12 AGL, 28 miles, 45 MSL, 12 AGL" is substituted therefor.

g. V–121 is amended to read as follows:

V–121 From Medford, Oreg., 12 AGL INT Medford 352° and Roseburg, Oreg., 127° radials; 12 AGL Roseburg; 12 AGL North Bend, Oreg.; 12 AGL Eugene, Oreg.

h. V–122 is amended to read as follows:

V–122 From Crescent City, Calif., 12 AGL Medford, Oreg.; 22 miles, 12 AGL, 75 MSL INT Medford 117° and Klamath Falls, Oreg., 282° True radials; 6 miles, 75 MSL, 12 AGL Klamath Falls; 21 miles, 12 AGL, 90 MSL Lakeview, Oreg.

i. V–182 is amended to read as follows:

V–182 From Portland, Oreg., 12 AGL The Dalles, Oreg.; 12 AGL Baker, Oreg.

j. V–204 is amended to read as follows:

V–204 From Hoquiam, Wash., 12 AGL Olympia, Wash.

k. V–287 is amended to read as follows:

V–287 From North Bend, Oreg., 12 AGL Newberg, Oreg., including a 12 AGL west alternate from North Bend to Newberg via Newport, Oreg.; excluding the airspace between the main and this west alternate; 12 AGL Portland, Oreg., including a 12 AGL east alternate via INT Newberg 069° and Portland 196° radials; 20 miles, 12 AGL, 51 miles, 45 MSL, 12 AGL Olympia, Wash.; 12 AGL INT Olympia 010° and Seattle, Wash., 329° radials; 12 AGL INT Seattle 329° and Port Angeles, Wash., 090° radials; 12 AGL Port Angeles, 12 AGL Neah Bay, Wash., RBN. The airspace within Canada is excluded.

l. V–448 is amended to read as follows:

V–448 From Portland, Oreg., 12 AGL Yakima, Wash., including a 12 AGL south alternate; 12 AGL Ephrata, Wash.

m. V–497 is amended to read as follows:

V–497 From John Day, Oreg., 49 miles, 65 MSL, 12 AGL The Dalles, Oreg.

n. V–500 is amended to read as follows:

V–500 From Portland, Oreg., 12 AGL Newberg, Oreg.; 41 miles, 12 AGL, 70 MSL John Day, Oreg.; 30 miles, 12 AGL, 71 miles, 105 MSL, 12 AGL Boise, Idaho.

2. Section 71.125 (32 F.R. 2058) is amended as follows: in V–440 all before "Victoria," is deleted and "From Seattle, Wash., 12 AGL" is substituted therefor.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510); Executive Order 10854 (24 F.R. 9565))

Issued in Washington, D.C., on May 16, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67–5744; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 67–CE–4]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways and Designation and Revocation of Reporting Points

On March 4, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3750) stating that the Federal Aviation Agency was considering altering V–4, V–210, V–424, and V–12; revoking the Readsville, Mo., VOR as a designated low altitude reporting point; and designating the Columbia, Mo., VOR as a low altitude reporting point. It was also proposed to retain the 1,200-foot AGL floors on the airways.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

Subsequent to publicaion of the notice, the segment of V–210 under consideration was revoked (Airspace Docket No. 66–WA–41, 32 F.R. 6435). Accordingly, no action is taken on this airway segment.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth.

1. Section 71.123 (32 F.R. 2009, 3219) is amended as follows:

a. In V–4 "12 AGL Marshall, Mo.;" is deleted.

b. In V–12 all between "12 AGL Blue Springs;" and "12 AGL Troy, Ill.;" is deleted and "12 AGL Columbia, Mo.; 12 AGL Maryland Heights, Mo.;" is substituted therefor.

c. V–424 is amended to read as follows:

V–424 From Blue Springs, Mo., 12 AGL INT Blue Springs 077° and Macon, Mo., 236° radials; 12 AGL Macon.

2. In § 71.203 (32 F.R. 2275) "Readsville, Mo." is deleted and "Columbia, Mo." is added.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 16, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67–5746; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 67–SO–38]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Zone and Alteration of Transition Area

On April 14, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 5998) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would designate the Miami, Fla. (new Tamiami Airport) part-time control zone and alter the Miami, Fla., 700-foot transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.d.s.t., July 1, 1967, as hereinafter set forth.

In § 71.171 (32 F.R. 2071) the following control zone is added:

MIAMI, FLA. (NEW TAMIAMI AIRPORT)

Within a 5-mile radius of the new Tamiami Airport, Fla. (latitude 25°38'49" N., longitude 80°25'59" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

In § 71.181 (32 F.R. 2148) the Miami, Fla., 700-foot transition area (32 F.R. 3766) is amended to read:

That airspace extending upward from 700 feet above the surface within a 7-mile radius

of Miami International Airport (latitude 25°-47'35" N., longitude 80°17'10" W.); within 5 miles south and 8 miles north of the Miami Runway 9-L ILS localizer west course, extending from the airport to 12 miles west of the Runway 9-L ILS LOM; within 5 miles north and 8 miles south of the Miami Runway 27-L ILS localizer east course, extending from the airport to 12 miles east of the Runway 27-L ILS LOM; within 5 miles south and 8 miles north of the Runway 9-L ILS localizer east course, extending from the airport to 12 miles east of the INT of Runway 9-L ILS localizer east course and the Biscayne Bay VOR 351° radial; within 2 miles each side of the Miami VORTAC 139° radial, extending from the 7-mile radius area to the VORTAC; within a 4-mile radius of the old Tamiami Airport, Fla. (latitude 25°45'15" N., longitude 80°22'35" W.); within an 8-mile radius of the new Tamiami Airport, Fla. (latitude 25°-38'49" N., longitude 80°25'59" W.); within a 6-mile radius of the Opa Locka Airport, Fla. (latitude 25°54'25" N., longitude 80°16'40" W.); within 2 miles each side of the Miami VORTAC 108° radial, extending from the 6-mile radius area to the VORTAC; within a 5-mile radius of the North Perry Airport, Fla. (latitude 26°00'06" N., longitude 80°14'24" W.); within a 7-mile radius of Fort Lauderdale-Hollywood International Airport (latitude 26°04'25" N., longitude 80°09'10" W.); within 2 miles each side of the 315° bearing from the Fort Lauderdale RBN, extending from the 7-mile radius area to 8 miles northwest of the RBN; within a 7-mile radius of Homestead AFB (latitude 25°29'15" N., longitude 80°23'10" W.); within 2 miles each side of the Homestead ILS localizer northeast course, extending from the 7-mile radius area to 9 miles northeast of Homestead AFB;

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 15, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-5747; Filed, May 23, 1967; 8:46 a.m.]

[Airspace Docket No. 67-CE-20]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On March 10, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3946) stating that the Federal Aviation Administration proposed to designate controlled airspace in the Denison, Iowa, terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is added:

DENISON, IOWA

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Denison, Iowa, Municipal Airport (latitude 41°59'15" N., longitude 95°23'00" W.) and within 2 miles each side of the 115° bearing from Denison Municipal Airport, extending from the 6-mile radius area to 8 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles southwest and 8 miles northeast of the 115° bearing from Denison Municipal Airport, extending from the airport to 12 miles southeast of the airport.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 10, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-5748; Filed, May 23, 1967; 8:47 a.m.]

[Airspace Docket No. 67-SO-35]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 7, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 5706) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Gainesville, Ga., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.d.s.t., July 20, 1967, as hereinafter set forth.

In § 71.181 (32 F.R. 2148) the following transition area is added:

GAINESVILLE, GA.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Gainesville Municipal Airport (latitude 34°16'23" N., longitude 83°49'45" W.); within 2 miles each side of the 216° bearing from the Gainesville, Ga., RBN (latitude 34°-16'29.99" N., longitude 83°49'55.58" W.), extending from the 6-mile radius area to 8 miles southwest of the RBN.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 15, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-5749; Filed, May 23, 1967; 8:47 a.m.]

[Airspace Docket No. 67-CE-13]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Areas

On March 11, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3997) stating that the Federal Aviation Administration proposed to alter controlled airspace in the Green Bay, Wis., and Oshkosh, Wis., terminal areas.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition areas are amended to read:

GREEN BAY, WIS.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'15" N., longitude 88°07'45" W.); within 2 miles each side of the Green Bay VORTAC 326° radial, extending from the 6-mile radius area to 8 miles northwest of the VORTAC; and within 2 miles each side of the Green Bay ILS localizer southwest and northeast courses, extending from 11 miles southwest to 21 miles northeast of the OM.

OSHKOSH, WIS.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Winnebago County Airport, Oshkosh, Wis. (latitude 43°59'20" N., longitude 88°33'15" W.); within 8 miles east and 5 miles west of the Oshkosh VOR 176° radial, extending from the 8-mile radius area to 12 miles south of the VOR; within a 5-mile radius of Fond du Lac County Airport, Fond du Lac, Wis. (latitude 43°46'10" N., longitude 88°29'30" W.); and within 5 miles south and 8 miles north of the 273° bearing from Fond du Lac County Airport, extending from the airport to 12 miles west of the airport; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 44°36'00" N., longitude 87°47'15" W.; thence to latitude 44°36'00" N., longitude 87°27'00" W.; thence to latitude 43°30'00" N., longitude 87°27'00" W.; thence to latitude 43°30'00" N., longitude 88°30'00" W.; thence to latitude 43°40'40" N., longitude 89°38'20" W.; thence north along the east boundary of V-255 to latitude 44°19'50" N., longitude 89°29'00" W.; thence counterclockwise via the arc of a 15-mile radius circle centered on the Stevens Point, Wis., VOR to latitude 44°28'30" N., longitude 89°14'25" W.; thence to latitude 44°29'25" N., longitude 88°35'00" W.; thence clockwise via the arc of a 20-mile radius circle centered on the Green Bay VOR to the point of beginning, excluding the portion which overlies the Cecil, Wis., transition area.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 8, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-5750; Filed, May 23, 1967; 8:47 a.m.]

[Airspace Docket No. 66-EA-51]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airway and Designation of Jet Routes

On February 24, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3228) stating that the Federal Aviation Agency was considering extension of VOR Federal

airway No. 128 from Charleston, W. Va., to Casanova, Va., and designation of a new jet route between Charleston, W. Va., and Herndon, Va.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth.

1. Section 71.123 (32 F.R. 2009) is amended as follows: In V–128 "12 AGL Charleston, W. Va." is deleted and "12 AGL Charleston, W. Va.; 12 AGL Casanova, Va." is substituted therefor.

2. Section 75.100 (32 F.R. 2341) is amended by adding:

JET ROUTE No. 142 (CHARLESTON, W. VA., TO HERNDON, VA.)

From Charleston, W. Va., via INT of Charleston 083° and Herndon, Va., 254° radials; to Herndon.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 16, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67–5745; Filed, May 23, 1967; 8:46 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER–492]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Group II Classification for Supplemental Air Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of May 1967.

In EDR–107 (Docket 18064), dated December 23, 1966, and published at 31 F.R. 16626, the Board gave notice that it had under consideration an amendment to Part 241 which would reclassify nine supplemental air carriers from the Group I category to the Group II category for accounting and reporting purposes. The proposal was based on the fact that operating revenues of these supplemental carriers are now comparable to those of the Group II route air carriers, owing largely to charter services performed under contracts with the Military Airlift Command (MAC).

Only two air carriers, Saturn Airways, Inc., and Universal Airlines, Inc.,[1] submitted comments on the proposal. Both carriers objected to the reclassification, asserting that: (1) The additional reporting requirements are unwarranted and will impose a costly and time-consuming burden upon the reclassified carriers; (2) a considerable growth in operating revenues alone is not a sound basis for imposing additional reporting requirements; and (3) the proposed effective date of January 1, 1967, is unrealistic and cannot be complied with.

Initially, we must disagree with the assertion that a considerable increase in operating revenue alone is not a sound basis for imposing additional reporting requirements. Operating revenue indicates the scope of operations and accounting capability, which were the original bases for classifying the route carriers into three accounting groups. The supplemental carriers were assigned to Group I because their revenues were comparable to those of the smallest carriers. In fiscal 1966, however, Saturn received over $14 million and Universal received over $16 million in revenues from the Military Airlift Command (MAC) alone; fiscal 1967 MAC revenues are expected to be even greater. There is no doubt that these MAC contractors can no longer be classified among the "smallest" air carriers. The simplified accounts especially designed for small operations and revenues are no longer adequate for reporting the operating results of these carriers.

We must also reject the assertion that the additional information will not assist the Board in its rate-making function. The Board has assumed the responsibility of fixing minimum rates for MAC charter services in order to stabilize this highly competitive market. The Board accordingly has a duty to be informed of current cost levels and rates of return so that it will be in a position to adjust rates if conditions and yields should change rapidly. The supplemental carriers have an important segment of the MAC market, and their refined cost data are necessary for a true picture of MAC costs. It is true that the additional data reported on schedules P–6 and P–7 will not be the basis for a rate review. These data, however, will permit a continuing evaluation of system costs in relation to those of other MAC contractors, and are essential to a proper analysis of the allocations of such costs to MAC services.

We have decided to adopt the regulation substantially as proposed except for the effective date. Therefore, the tentative findings set forth in the explanatory statement to the proposed rule (EDR–107, supra) are incorporated herein by reference and finalized. Although it would be advantageous to have the detailed expense data for the full calendar year, we recognize that a retroactive date of January 1, 1967, would impose an additional accounting burden during the peak accounting season. The rule will be made effective July 1, 1967, to coincide with the beginning of the MAC contract year, thus allowing adequate time for the reclassified carriers to modify their accounting systems and develop allocation procedures.

In consideration of the foregoing, the Board hereby amends Part 241 of the Economic Regulations (14 CFR Part 241), effective July 1, 1967, as follows:

1. Amend section 04, by dividing the supplemental air carriers into Group I and Group II, and by otherwise revising the list of certificated carriers to read:

Section 04—Air Carrier Groupings and Standard Name Abbreviations

GROUP I ROUTE AIR CARRIERS

Name	*Abbreviation*
Aerovias Sud Americana, Inc.	Aerovias.
Alaska Coastal Airlines, Inc.	Alaska Coastal.
Aspen Airways, Inc.	Aspen.
Caribbean-Atlantic Airlines, Inc.	Caribair.
Chicago Helicopter Airways, Inc.	Chicago Helicopter.
Cordova Airlines, Inc.	Cordova.
Kodiak Airways, Inc.	Kodiak.
Los Angeles Airways, Inc.	LA Airways.
New York Airways, Inc.	NY Airways.
Northern Consolidated Airlines, Inc.	Northern Consol.
Reeve Aleutian Airways, Inc.	Reeve.
San Francisco & Oakland Helicopter Airlines, Inc.	SFO Helicopter.
Western Alaska Airlines, Inc.	Western Alaska.
Wien Alaska Airlines, Inc.	Wien.

GROUP II ROUTE AIR CARRIERS

Airlift International, Inc.	Airlift.
Allegheny Airlines, Inc.	Allegheny.
Aloha Airlines, Inc.	Aloha.
Bonanza Air Lines, Inc.	Bonanza.
Central Airlines, Inc.	Central.
Frontier Airlines, Inc.	Frontier.
Lake Central Airlines, Inc.	Lake Central.
North Central Airlines, Inc.	North Central.
Ozark Air Lines, Inc.	Ozark.
Pacific Air Lines, Inc.	Pacific.
Southern Airways, Inc.	Southern.
Trans Caribbean Airways, Inc.	Trans Car.
Trans-Texas Airways, Inc.	Trans-Texas.
West Coast Airlines, Inc.	West Coast.

GROUP III ROUTE AIR CARRIERS

Alaska Airlines, Inc.	Alaska.
American Airlines, Inc.	American.
Braniff Airways, Inc.	Braniff.
Continental Air Lines, Inc.	Continental.
Delta Air Lines, Inc.	Delta.
Eastern Air Lines, Inc.	Eastern.
The Flying Tiger Line, Inc.	Flying Tiger.
Hawaiian Airlines, Inc.	Hawaiian.
Mohawk Airlines, Inc.	Mohawk.
National Airlines, Inc.	National.
Northeast Airlines, Inc.	Northeast.
Northwest Airlines, Inc.	Northwest.
Pacific Northern Airlines, Inc.	Pacific Northern.
Pan American World Airways, Inc.	Pan American.
Piedmont Aviation, Inc.	Piedmont.
Seaboard World Airlines, Inc.	Seaboard.
Slick Corp.	Slick.
Trans World Airlines, Inc.	Trans World.
United Air Lines, Inc.	United.
Western Air Lines, Inc.	Western.

GROUP I SUPPLEMENTAL AIR CARRIERS

Johnson Flying Service, Inc.	Johnson.
Purdue Aeronautics Corp.	Purdue.
Standard Airways, Inc.	Standard.
Vance International Airways, Inc.	Vance.

[1] Formerly Zantop Air Transport, Inc.

GROUP II SUPPLEMENTAL AIR CARRIERS	
American Flyers Airline Corp.	American Flyers.
Capitol International Airways, Inc.	Capitol.
Modern Air Transport, Inc.	Modern.
Overseas National Airways, Inc.	Overseas National.
Saturn Airways, Inc.	Saturn.
Southern Air Transport, Inc.	Southern Air Transp.
Trans International Airlines Corp.	Trans International.
Universal Airlines, Inc.	Universal.
World Airways, Inc.	World.

2. Amended paragraph (h) of section 31 by revising the list of supplemental air carriers to read:

SUPPLEMENTAL AIR CARRIER REPORTING ENTITIES
American Flyers Airline Corp.
Capital International Airways, Inc.
Johnson Flying Service, Inc.
Modern Air Transport, Inc.
Overseas National Airways, Inc.
Purdue Aeronautics Corp.
Saturn Airways, Inc.
Southern Air Transport, Inc.
Standard Airways, Inc.
Trans International Airlines Corp.
Universal Airlines, Inc.
Vance International Airways, Inc.
World Airways, Inc.

3. Amend section 32 by inserting schedules B–10, P–1.2, P–4, P–5.2, and P–7 in the list of schedules in paragraph (a) and by revising paragraph (b), to read as follows:

Section 32—General Reporting Instructions

(a) * * *

Schedule No.		Filing	
		Frequency	Postmark interval (days)
* * *	* * *	* * *	* * *
B–8	Property and Equipment Retired	do	40
B–10	Developmental and Preoperating Costs	do	40
B–11	Current and Long-Term Receivables; Current and Long-Term Payables.	Monthly	30
* * *	* * *	* * *	* * *
P–1.1	Income Statement—Group I Air Carriers	Quarterly	40
P–1.2	Income Statement—Group II and Group III Air Carriers	do	40
P–2	Notes to Income Statement	do	40
P–3.1	Transport Revenues	do	40
P–4	Incidental Revenues—Net; Explanation of Special Items; Explanation of Deferred Federal Income Tax Adjustments, Dividends Declared and Retained Earnings Adjustments.	do	40
P–5.1	Aircraft Operating Expenses—Group I Air Carriers	do	40
P–5.2	Aircraft Operating Expenses—Group II and Group III Air Carriers.	do	40
P–6	Maintenance, Passenger Service, and General Services and Administration Expense Functions.	do	40
P–7	Aircraft and Traffic Servicing, Promotion and Sales, and General and Administrative Expense Functions—Group II and Group III Air Carriers.	do	40
	Interim Income Statement	Monthly	30
* * *	* * *	* * *	* * *

(b) Each supplemental air carrier shall file the schedules of the CAB Form 41 reports with the Civil Aeronautics Board in accordance with the above instructions, except that the time for filing B and P report schedules for the final quarter of each calendar year may be extended to 90 days following the year's end provided that preliminary schedules B–1, P–1.1 or P–1.2, and P–3.1 are submitted within the standard prescribed 40-day filing period. At the request of a supplemental air carrier, and upon a showing by such air carrier that public disclosure of its preliminary yearend report would adversely affect its interests and would not be in the public interest, the Board will withhold such preliminary yearend report from public disclosure until such time as (1) the final report is filed, (2) the final report is due, or (3) information covered by the preliminary report is publicly released by the carrier concerned, whichever first occurs.

* * * * *

4. Amend section 34—Profit and Loss Elements, as follows:

A. Amend the title and paragraph (a) of schedule P–1.1 to read:

Schedules P–1.1 and P–1.2—Income Statement

(a) Schedule P–1.1 shall be filed by each Group I supplemental air carrier and schedule P–1.2 shall be filed by each Group II supplemental air carrier.

* * * * *

B. Amend paragraphs (c) and (d) of schedule P–3.1 to read:

Schedule P–3.1—Transport Revenues

* * * * *

(c) Revenues reported shall reflect the aggregate revenue from each indicated class of traffic. In the case of military contracts, type of service shall be reported under the appropriate objective account. Abbreviations may be used in reflecting type of service, such as CAMs (Commercial Air Movements), CAFs (Commercial Air Freight Movements), MAC–FC (Military Airlift Command Fixed Contracts), MAC–CC (Military Airlift Command Call Contracts). The type of aircraft shall also be reported for each type of service, e.g., CAMs—DC–4. Type of service would also include maintenance, equipment modification, personnel training, etc.

(d) The sum of the subdivisions of each objective account reported in this schedule shall agree with the corresponding amounts reported in schedule P–1—Income Statement.

C. Amend the title and paragraphs (a) and (i) of schedule P–5.1 to read:

Schedules P–5.1 and P–5.2—Aircraft Operating Expenses

(a) Schedule P–5.1 shall be filed by each Group I supplemental air carrier and schedule P–5.2 shall be filed by each Group II supplemental air carrier.

* * * * *

(i) The total of function 5100 Flying Operations reported on this schedule shall agree with corresponding amounts reported on schedule P–1, and the total of item 5278 Total Direct Maintenance—Flight Equipment shall agree with the corresponding amount reported in schedule P–6.

D. Amend schedule P–6 by revising paragraph (c); redesignating paragraphs (d) and (e) as paragraphs (e) and (f), respectively; inserting new paragraph (d) after paragraph (c); and amending redesignated paragraph (f), to read as follows:

Schedule P–6—Maintenance, Passenger Service, and General Services and Administration Expense Functions

* * * * *

(c) Group I supplemental air carriers shall report the indicated data for all items except function 5500 Passenger Service.

(d) Group II supplemental air carriers shall report the indicated data for all items except function 6900 General Services and Administration.

(e) Items 79.6 Applied Maintenance Burden—* * *

(f) The sum of the totals of subfunctions 5200 Direct Maintenance and 5300 Maintenance Burden shall agree with the corresponding amount reported in function 5400 on schedule P–1. The total of function 6900 General Services and Administration reported in this schedule by Group I supplemental air carriers shall agree with the corresponding amount reported on Schedule P–1.

E. Add the text for new schedule P–7 immediately following schedule P–6 to read:

Schedule P–7—Aircraft and Traffic Servicing, Promotion and Sales, and General and Administrative Expense Functions

(a) This schedule shall be filed by each Group II supplemental air carrier.

(b) The schedule shall be filed for quarterly data only. The caption "Operation" at the head of each column is not applicable to supplemental air carriers.

(c) Supplemental air carriers shall report the indicated data for all items except subfunction 6100 Aircraft Servicing.

(d) The total of each functional expense classification reported in this schedule shall agree with the corresponding amount reported on schedule P–1.

(Secs. 204(a), 407, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

NOTE: The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 67–5761; Filed, May 23, 1967; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Subpart D—Standards of Certified Properties and Purity

STANDARD RUBBERS AND RUBBER COMPOUNDING MATERIALS

Under the provisions of 15 U.S.C. 275a and 277, the following amendment relating to standard reference materials issued by the National Bureau of Standards is effective upon publication in the FEDERAL REGISTER.

The amendment revises § 230.8–6, *Standard rubbers and rubber compounding materials*, to (1) renew and change the price of standard reference material 388c, and renumber the material 388d, and (2) add standard reference material 390. Accordingly, § 230.8–6 is revised to read:

§ 230.8–6 Standard rubbers and rubber compounding materials.

* * * * *

(a) *Standard rubbers.*

Sample Nos.	Kind	Approximate weight in grams	Price
* * *	* * *	* * *	* * *
388d.....	Butyl.....	27,000	$105.00
390.....	Butyl (Mooney viscosity only).	27,000	95.00

* * * * *

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies Sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: May 15, 1967.

A. V. ASTIN, *Director.*

[F.R. Doc. 67–5728; Filed, May 23, 1967; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Definition of Floor Trader and Record Keeping

On January 28, 1967, there was published in the FEDERAL REGISTER (32 F.R. 1042) a notice of proposed amendments of §§ 1.3 and 1.35 of the general regulations (17 CFR 1.3, 1.35) under the Commodity Exchange Act (7 U.S.C. 1 et seq.) with respect to records of cash commodity and futures transactions. Interested persons were afforded opportunity to submit written data, views, or arguments on the proposal.

Prior to the publication of the notice on January 28, 1967, conferences were held with officials and members of all of the exchanges which would be affected by the proposed changes. At these conferences, tentative proposed record-keeping requirements were discussed in detail in order that the Commodity Exchange Authority might have the benefit of the experience and views of the exchanges, and that the requirements might be kept to a reasonable minimum. As a result of the discussions held with the exchanges, several changes were made in the tentative requirements originally presented to them.

Written data, views, and arguments received pursuant to the notice of proposed rule making were carefully reviewed, and it was determined to provide further opportunity for the presentation of views in an oral hearing. Such a hearing was held on March 28, 1967, at which time the need for the amendments was explained by the Commodity Exchange Authority in a statement which appears in the transcribed record of that hearing. Oral statements made at the hearing and written submissions filed at that time were carefully considered. Pursuant to these comments one additional change was made in the proposed amendments, consisting of the addition of the parenthetic statement which appears at the end of § 1.35(d).

After due consideration of all comments submitted pursuant to the notice of proposed rule making or at the hearing and other information available to the Department of Agriculture, it is hereby found that the amendments of §§ 1.3 and 1.35 set forth herein are reasonably necessary to effectuate the provisions and accomplish the purposes of the Commodity Exchange Act. The volume of futures trading in regulated commodities has increased tremendously and is expected to continue at very high levels. The Commodity Exchange Authority must adopt electronic data processing equipment and techniques to cope with this volume of trading and enable the Authority properly to enforce provisions of the Commodity Exchange Act. In order for electronic data processing to be effectively used by the Authority, it is necessary that members of contract markets and the contract markets themselves maintain more uniform and more centrally available records. The revisions of §§ 1.3 and 1.35 will achieve these results, and they are necessary to improve the Authority's ability to detect illegal trading practices which are detrimental to market users and the general public.

Therefore, pursuant to the Provisions of the Commodity Exchange Act, said §§ 1.3 and 1.35 are hereby amended as follows:

(1) Section 1.3 is amended by adding at the end thereof a new paragraph (x) reading as follows:

§ 1.3 Definitions.

* * * * *

(x) *Floor trader.* A member of a contract market who, on the exchange floor, executes a futures trade for his own account or an account controlled by him, or has such a trade made for him.

(2) Section 1.35 is amended to read as follows:

§ 1.35 Records of cash commodity and futures transactions.

(a) Futures commission merchants and members of contract markets: Each futures commission merchant and each member of a contract market shall keep full, complete, and systematic records, together with all pertinent data and memoranda, of all transactions relating to his business of dealing in commodity futures and cash commodities. He shall retain the required records, data, and memoranda in accordance with the requirements of § 1.31, and shall produce them for inspection and shall furnish true and correct information and reports as to the contents or the meaning thereof, when and as requested by any authorized representative of the U.S. Department of Agriculture or the U.S. Department of Justice. Included among such records shall be all orders (filled, unfilled, or canceled), trading cards, signature cards, street books, journals, ledgers, canceled checks, copies of confirmations, copies of statements of purchase and sale and all other records, data, and memoranda which have been prepared in the course of his business of dealing in commodity futures and cash commodities.

(b) Futures commission merchants and clearing members of contract markets: Each futures commission merchant and each clearing member of a contract market shall, as a minimum requirement, prepare regularly and promptly, and keep systematically and in permanent form, the following:

(1) A financial ledger record which will show separately for each customer

all charges against and credits to such customer's account, including but not limited to funds or securities deposited, withdrawn, or transferred, and charges or credits resulting from losses or gains on closed transactions;

(2) A record of transactions which will show separately for each account (including house accounts) all commodity futures transactions executed for such account, including the date, price, quantity, market, commodity, and future; and

(3) A record or journal which will show separately for each business day complete details of all commodity futures transactions executed on that day, including the date, price, quantity, market, commodity, future, and the person for whom such transaction was made.

(c) Clearing members of contract markets: In the daily record or journal required to be kept under paragraph (b)(3) of this section, each clearing member of a contract market shall also show the floor broker or floor trader executing each transaction, the opposite floor broker or floor trader, and the opposite clearing member with whom it was made.

(d) Members of contract markets: Each member of a contract market who, in the place provided by the contract market for the meeting of persons similarly engaged, executes purchases or sales of any commodity for future delivery on or subject to the rules of such contract market, shall prepare regularly and promptly a trading card or other record showing such purchases and sales. Such trading card or record shall show his own name, the name of the member firm clearing the trade, the date, price, quantity, commodity and future, and shall clearly identify the opposite floor broker or floor trader with whom such transaction was executed, and the opposite clearing member (if, in accordance with the rules or practice of the contract market such opposite clearing member is made known to him).

(e) Contract markets: Each contract market shall maintain or cause to be maintained by its clearing organization a record which shall show for each futures trade: The date, commodity, future, quantity, price, floor broker or floor trader buying, clearing member buying, floor broker or floor trader selling, clearing member selling, and a symbol indicating the customer type. The customer type indicator shall show whether the person executing the trade:

(1) Was trading for his own account or an account which he controlled;

(2) Was trading for his clearing member's house account;

(3) Was trading for another member present on the exchange floor, or an account controlled by such other member; or

(4) Was trading for any other type of customer.

The record required by this paragraph (e) shall show, by appropriate and uniform symbols, exchanges of futures for cash, transfer trades, and trades cleared on dates other than the date of execution.

(f) Each contract market shall provide for the identification of floor brokers, floor traders, and clearing members, in the records required to be kept under paragraphs (c), (d), and (e) of this section, by the use of a distinctive, nonvariable designation for each such floor broker, floor trader, and clearing member.

(Sec. 4g, 49 Stat. 1496; sec. 5(b), 42 Stat. 1000, as amended; sec. 8a(5), 49 Stat. 1500, as amended; 7 U.S.C. 6g, 7(b), 12a(5); 29 F.R. 16210, as amended)

The amendments set forth above are the same as those proposed in the notice of rule making, except for changes made pursuant to comments received in the rule making proceedings or for clarity. The principal clarifying change is the addition of paragraph (f) in § 1.35. It does not appear that further rule making procedure on these changes would make additional information available to the Department. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that further notice and public procedure with respect to the amendments are impracticable and unnecessary.

The recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

The amendments shall become effective on July 1, 1967.

Done at Washington, D.C., this 18th day of May, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-5775; Filed, May 23, 1967; 8:49 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 60—IMMIGRATION; AVAILABILITY OF, AND ADVERSE EFFECT UPON, AMERICAN WORKERS

Correction of CFR

In the revision of Title 29, Parts 0 to 499, revised as of January 1, 1967, the text of § 60.2(a)(2) which was inadvertently omitted, reads as follows:

§ 60.2 Certification and noncertification schedules.

(a) *Determination.* * * *

(2) For the categories of employment described in Schedule B, the determination and certification required by section 212(a)(14) cannot now be made.

* * * * *

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

San Pablo Bay, Calif.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 204.216 establishing and governing the use and navigation of a danger zone in San Pablo Bay, Calif., is hereby amended with respect to "Note" at the end of paragraph (a) to extend the period of use, as follows:

§ 204.216 San Pablo Bay, Calif.; gunnery range, U.S. Naval Schools Command, Mare Island, Vallejo.

(a) *The danger zone.* * * *

NOTE: The danger zone shall be used until June 2, 1968, after which it shall be subject to review to determine the further need thereof.

* * * * *

[Regs., May 4, 1967, 1507-32 (San Pablo Bay, Calif.)-ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 67-5727; Filed, May 23, 1967; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Fishing in Yellowstone National Park, Wyo.

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), 245 DM-1 (27 F.R. 6395), National Park Service Order No. 34 (31 F.R. 4255), Regional Director, Midwest Region Order No. 4 (31 F.R. 5769), as amended, § 7.13 of Title 36, Code of Federal Regulations is amended as set forth below. The purpose of this amendment is to extend the open season date of fishing, and to define and clarify fishing regulations with respect to existing catch and possession limits, and to provide for the closing of streams to fishing when research programs are in progress.

It has been determined that public comment on these amendments is impractical, unnecessary, and contrary to

the public interest, since these amendments will relax a restriction upon the public and authorize fishing at an earlier date than was previously in effect; will clarify for the public during this fishing season the limits on catch and in possession; and will provide authority for the Superintendent to adequately manage fisheries research projects which are being conducted within the park and which require protection during this fishing season. In order that the public may have the benefits of the extended fishing season, and the clarification of the catch and possession limits as soon as possible and so that fisheries research programs within the park will not be jeopardized during this fishing season, these amendments shall take effect immediately upon their publication in the FEDERAL REGISTER.

Subparagraphs (1), (2)(ii), and (5) of paragraph (e) of § 7.13 are amended to read as follows:

§ 7.13 Yellowstone National Park.

* * * * *

(e) *Fishing*—(1) *Open season.* Except as otherwise provided, the open season for fishing in the waters of the park shall be from sunrise on May 28 to sunset on October 31.

(2) *Limited open season.* * * *

(ii) All streams emptying into Yellowstone Lake are open to fishing from sunrise on July 15 to sunset on October 31, except those streams which may be closed by the Superintendent during periods when active research programs are in progress. Notice of closure of such streams will be made by the posting of official signs. For fishing purposes, signs and buoys within 100 yards of the stream outlets or inlets on Yellowstone Lake shall define these stream waters from the lake waters.

* * * * *

(5) *Catch and possession limits.* (i) The daily catch limit of trout and grayling shall be a total of five (5) fish per person fishing of which no more than three (3) may be taken from Yellowstone Lake and its tributaries or from Yellowstone River and its tributaries above the Upper Falls at Canyon. A person must cease fishing immediately upon filling his catch limit.

(ii) The number of trout or grayling which may be possessed by any person during any day shall not exceed five (5). The possession limit shall apply to all non-commerially processed trout and grayling which are in possession of a person.

* * * * *

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3)

JOHN S. MCLAUGHLIN,
Superintendent,
Yellowstone National Park.

[F.R. Doc. 67-5736; Filed, May 23, 1967; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1004]

MILK IN DELAWARE VALLEY MARKETING AREA

Notice of Proposed Suspension of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Delaware Valley marketing area is being considered for the period after May 31, 1967.

The provisions proposed to be suspended are: (1) In the introductory paragraph of § 1004.15, the provision "or an other order plant". (2) In subparagraph (d) of § 1004.15 the provision "except that, for the purpose of applying location adjustments pursuant to §§ 1004.52 and 1004.82 milk which is diverted from a pool plant to a plant at which a greater location adjustment credit is applicable shall be priced at the latter location."

These suspensions would be applicable to the Delaware Valley order as amended effective June 1, 1967. A major cooperative in the market requested suspension action on the basis that such provisions will impede the efficient handling of reserve milk supplies pending consideration at a public hearing of proposed modifications of the provisions to better accommodate the existing market situation.

Because most Federal orders determine producer status on the basis of receipt of milk directly from the farm at a pool plant, no provision was made in the Delaware Valley order for diversions to an other order plant. One of the primary outlets used by the cooperative for the disposition of reserve milk is a pool plant under another Federal order. However, under the terms of such other order such milk cannot acquire producer status under that order. Accordingly, milk diverted by the cooperative to such other order plant would not hold producer status under either order. The requested suspension would permit retention of producer status under the Delaware Valley order.

With respect to the point of pricing of diverted milk, the provision was intended to deter the association of milk with the pool which was intended solely for manufacturing uses and to insure that the pool could not subsidize transportation costs which are not incurred. Generally, it can be presumed that milk not needed for fluid use could be moved to nearby manufacturing plants in the country at substantial transportation savings. However, the cooperative contends that the outlets for a large share of the reserve milk supplies associated with the Delaware Valley market are so located that there is, in fact, no significant savings on transportation charges on milk diverted to such outlets. Therefore, they contend that pricing diverted milk at the plant of physical receipt imposes a significant burden on the individual producers involved.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 3 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., on May 22, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67–5820; Filed, May 23, 1967; 8:49 a.m.]

[7 CFR Parts 1012, 1013]

[Docket Nos. AO 347–46, AO 286–A13]

MILK IN TAMPA BAY AND SOUTHEASTERN FLORIDA MARKETING AREAS

Emergency Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Tampa and Miami, Fla., on April 28, and May 1, 1967, pursuant to notices thereof issued on March 15, 1967 (32 F.R. 4313) and on March 28, 1967 (32 F.R. 5472).

The material issues on the record of the hearing relate to:

1. The Class I price;

2. Shrinkage allowance for producer milk;

3. Classification of milk moved to nonpool plants; and

4. Need for emergency action on Issue 3.

This decision deals with Issues 3 and 4. Issues 1 and 2 will be dealt with in a later decision.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

3. *Classification of milk moved to nonpool plants.* The Southeastern Florida order should, under specified conditions, allow a Class IV classification of bulk milk moved to nonpool plants.

Presently, fluid milk products transferred or diverted in bulk from a pool plant to a nonpool plant located within 500 miles of West Palm Beach (except an other order plant or a producer-handler plant) may be classified as Class II or Class III milk. Such classification is allowed if there is sufficient utilization in these classes at the nonpool plant after the assignment of the plant's Class I utilization to its receipts.

Independent Dairy Farmers' Association proposed that the present provisions be changed to allow Class IV classification as well as Class II or Class III classification on bulk milk moved to nonpool plants. The association claims that the Class IV classification and pricing would be more commensurate with the salvage value of unneeded producer milk that must be moved to nonpool plants for disposal. The association, which represents about three-fourths of the producer milk supply in the market, assumes the function of disposing of the milk in the market that is not needed by handlers.

Milk not needed in the market for Class I use is generally processed into Class II products such as cream items, buttermilk, and chocolate drink and into Class III products such as cottage cheese and frozen desserts. Facilities for manufacturing storable products such as butter, nonfat dry milk, and hard cheeses are not available in the market or within a reasonable distance from the market. Thus, it is often difficult to find an outlet for any remaining producer milk. Handlers have accommodated producers by separating the milk for the purpose of salvaging the butterfat, with the skim milk portion being dumped or used as livestock feed. Milk handled in this manner at a pool plant is classified as Class IV milk.

The Class IV price reflects only the value of the butterfat contained in the milk. No value is returned to producers for the skim milk portion. In March 1967, for example, the Class IV price was $3.05 per hundredweight on a 3.5 percent butterfat basis. The Class III price that month was $4.16.

The separation capacity at pool plants is no longer sufficient to take care of the Class IV milk that must be handled. The handler who had been separating up to

40 percent of the market's Class IV milk has relocated his pool plant and is no longer in a position to handle Class IV milk. The cooperative association contemplates moving excess producer milk to a nonpool plant in Miami, the only such facility available locally with adequate separating capacity to handle Class IV milk. The lowest classification presently allowed under the order on milk moved to nonpool plants is Class III.

The order should be changed to allow a Class IV classification on such milk, as producers proposed. There is no economic reason for differentiating between pool plants and nonpool plants in the classification of milk of which only the butterfat portion has any returnable value. Adoption of the proposal will result in more equitable classified pricing for handlers on any surplus milk which they must dispose of to nonpool plants.

4. *Need for emergency action on Issue 3.* The due and timely execution of the functions of the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision and opportunity for filing exceptions thereto.

The proposed amendments must be made effective by June 1 if they are to have any practical application in 1967. Milk supplies relative to fluid sales under the Southeastern Florida order are customarily the highest in June. Considerably more milk is disposed of in Class IV in June than in the other months. In 1966, Class IV utilization in June was 72 percent of the total Class IV utilization for the year.

It is therefore found that good cause exists for omission of the recommended decision and the opportunity for filing exceptions thereto.

Rulings on proposed findings and conclusions. A brief and proposed findings and conclusions were filed on behalf of an interested party. The brief, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by the interested party are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or to reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order as hereby proposed to be amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Southeastern Florida Marketing Area" and "Order Amending the Order, Regulating the Handling of Milk in the Southeastern Florida Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of March 1967 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Southeastern Florida marketing area is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on May 18, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Southeastern Florida Marketing Area

§ 1013.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Southeastern Florida marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, That on and after the effective date hereof the handling of milk in the Southeastern Florida marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, as follows:

In § 1013.44(c), subparagraphs (1) and (3)(iv) are revised to read as follows:

§ 1013.44 Transfers.

* * * * * *

(c) * * *

(1) The transferring or diverting handler claims classification in Class II, Class III, or Class IV in his report submitted to the market administrator pursuant to § 1013.30;

* * * * * *

(3) * * *

(iv) To the extent that Class I utilization is not so assigned to it, the skim milk and butterfat in fluid milk products so transferred shall be classified as Class IV milk to the extent available, then as Class III milk, and any remainder as Class II milk; and

* * * * * *

[F.R. Doc. 67-5758; Filed, May 23, 1967; 8:47 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 67-CE-6-AD]

AIRWORTHINESS DIRECTIVES

Continental Models IO-470 and TSIO-470 Engines

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to certain Continental Models IO-470 and TSIO-470 engines. There have been instances of fatigue cracks in the thread runout area of the barrel on reground and chrome plated Continental Part No. 626820 cylinder assemblies installed in these engines which could result in separation of the cylinder head from the cylinder barrel. This part number applies to two groups of cylinder assemblies, those having the letter "H" stamped on the rocker box flange over the exhaust valve, and those which do not have this identification. Strengthening design features were incorporated in those cylinders having the letter "H" stamped on them. The instances of fatigue cracks in question have occurred on those reground or chrome plated parts which are not marked with the letter "H." Therefore, the "H" marked parts will not be covered by the proposed AD. Since this condition is likely to exist or develop in other engines of the same design, on which the unmarked reground or chrome plated cylinder assemblies are installed, the proposed AD would require, within the next 200 hours' time in service after the effective date of this AD, that these cylinders be removed from service.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Director, Central Region, Attention: Regional Counsel, Airworthiness Rules Docket, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of the notice in the FEDERAL REGISTER will be considered before action is taken upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new AD:

CONTINENTAL. Applies to Models IO-470-D, IO-470-E, IO-470-F, IO-470-H, IO-470-L, IO-470-M, IO-470-N, IO-470-S, IO-470-U, IO-470-V, and TSIO-470-B, TSIO-470-C, TSIO-470-D engines.

Compliance required as indicated, unless already accomplished.

To prevent failure of reground or chrome plated Part No. 626820 cylinder assemblies, not having the letter "H" stamped on the rocker box flange over the exhaust valve, installed on the above referred to Continental engine models, accomplish the following:

Within the next 200 hours' time in service after the effective date of this AD, remove reground or chrome plated Part No. 626820 cylinder assemblies, not having the letter "H" stamped on the rocker box flange over the exhaust valve, and install as replacements either (1) Continental Part No. 626820 cylinder assemblies identified by the letter "H" stamped on the rocker box flange over the exhaust valve, or (2) Continental Part No. 626820 cylinder assemblies not having the letter "H" stamped on the rocker box flange over the exhaust valve which have neither been reground nor chrome plated.

Issued at Kansas City, Mo., on May 15, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-5751; Filed, May 23, 1967; 8:47 a.m.]

[14 CFR Part 39]

[Docket No. 6360]

AIRWORTHINESS DIRECTIVES

Mooney Model M20C, M20D, M20E Airplanes

Amendment 39-45 (30 F.R. 3349), Airworthiness Directive 65-6-5, requires the replacement of Dukes fuel pumps with redesigned pumps on Mooney M20C, M20D, and M20E airplanes. After issuing Amendment 39-45, due to service experience, the Agency determined that corrective action is also required for more recently manufactured aircraft having higher serial numbers than those specified in the Airworthiness Directive. Therefore, the Agency is considering superseding Amendment 39-45 with a new AD applicable to additional aircraft requiring the replacement of Dukes fuel pumps with redesigned models.

Interested persons are invited to participate in making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Federal Aviation Administration, Regional Counsel, Post Office Box 1689, Fort Worth, Tex. 76101.

All communications received within 30 days after publication of this notice will be considered by the Director before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be made a part of the official docket and will be available for examination by interested persons, both before and after the closing date for comments, at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new Airworthiness Directive:

MOONEY. Applies to Model M20C (Mark 21) airplanes, Serial Numbers 2623 through 2737 and 2739 through 3198; Model M20D (Master) airplanes, Serial Numbers 201 through 260; and Model M20E (Super 21) airplanes, Serial Numbers 101 through 850.

Compliance required as indicated unless already accomplished.

Service experience indicates that it is necessary to replace Dukes fuel pumps now in service with a redesigned Dukes fuel pump as follows:

(a) For Model M20E (Super 21) Airplanes Equipped with Dukes Fuel Pump:

(1) Within the next 25 hours time in service after April 12, 1965, replace Dukes fuel pump, Part Number 4140-00-19, Serial Numbers 101, 102, 103, 150 through 312, with Dukes fuel pump, Part Number 4140-00-19A, with pump Serial Number above 1551, in accordance with Mooney Service Bulletin M20-121B (Rev. B, 11-4-66).

(2) Within the next 100 hours time in service after April 12, 1965, replace Dukes fuel pump, Part Number 4140-00-19, Serial Numbers 313 through 613, with Dukes fuel pump, Part Number 4140-00-19A with pump serial number above 1551, in accordance with Mooney Service Bulletin M20-121B (Rev. B, 11-4-66).

(3) Within the next 100 hours time in service after the effective date of this AD, replace Dukes fuel pump, Part Number 4140-00-19A, Serial Numbers 614 through 1551 with Dukes fuel pump, Part Number 4140-00-19A with pump serial number above 1551, in accordance with Mooney Service Bulletin M20-121B (Rev. B, 11-4-66).

(b) For Models M20C (Mark 21) and M20D (Master) Airplanes Equipped with Dukes Fuel Pump:

(1) Within the next 25 hours time in service after April 12, 1965, replace Dukes fuel pump, Part Number 4140-00-21, Serial Numbers 100, 102, 103, 150 through 244, with Dukes fuel pump, Part Number 4140-00-21A with pump serial number above 1159, in accordance with Mooney Service Bulletin M20-121B, (Rev. B, 11-4-66).

(2) Within the next 100 hours time in service after April 12, 1965, replace Dukes fuel pump, Part Number 4140-00-21, Serial Numbers 245 through 409, with Dukes fuel pump, Part Number 4140-00-21A with pump serial number above 1159, in accordance with Mooney Service Bulletin Number M20-121B (Rev. B, 11-4-66).

(3) Within the next 100 hours time in service after the effective date of the AD, replace Dukes fuel pump, Part Number 4140-00-21A, Serial Numbers 410 through 1159, with Dukes fuel pump, Part Number 4140-00-21A with pump serial number above 1159, in accordance with Mooney Service Bulletin M20-121B (Rev. B, 11-4-66).

(c) For Model M20E, Serial Numbers 101 through 263, Model M20C, Serial Numbers 2623 through 2690, and Model M20D, Serial Numbers 201 through 226, concurrent with the fuel pump replacement in (a) and (b) above, remove Mooney electric fuel pump mounting bracket, Part Number 610032, and install redesigned pump bracket, Part Number 610048, in accordance with Mooney Service Letter 20-120, dated March 18, 1964.

This supersedes Amendment 39-45, 30 F.R. 3349, AD 65-6-5.

Issued in Fort Worth, Tex., on May 11, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-5752; Filed, May 23, 1967; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-5]

TRANSITION AREA

Proposed Alteration; Supplemental Notice

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Sioux Falls, S. Dak., terminal area.

In a notice of proposed rule making published in the FEDERAL REGISTER on February 21, 1967 (32 F.R. 3101), the Federal Aviation Administration proposed to alter the Sioux Falls, S. Dak., transition area by redesignating it as follows:

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Sioux Falls/Joe Foss Field (latitude 43°-34'44" N., longitude 96°44'27" W.); within a 21-mile radius of the Sioux Falls VORTAC, extending from a line 5 miles east of and parallel to the 154° radial, clockwise to the 329° radial, and within a 17-mile radius of the Sioux Falls VORTAC, extending from the 329° radial, clockwise to a line 5 miles south of and parallel to the 070° radial, and that airspace extending upward from 1,200 feet above the surface within a 43-mile radius of the Sioux Falls VORTAC, extending from the south edge of V-120 east of Sioux Falls clockwise to the south edge of V-120 west of Sioux Falls; and within a 33-mile radius of Sioux Falls VORTAC, extending from a line 5 miles southwest of and parallel to the 336° radial, clockwise to a line 5 miles south of and parallel to the 070° radial.

Subsequent to publication of the notice of proposed rule making, it has been determined that the proposed transition area must be revised in order to provide a more effective use of airspace. The proposed revision will consist of raising the floor on part of the proposed 1,200-foot floor transition area and by reducing the amount of 700-foot floor transition area.

In view of the foregoing, the proposed notice is amended to propose that the Sioux Falls transition area be redesignated as follows:

That airspace extending upward from 700 feet above the surface within a 17-mile radius of the Sioux Falls VORTAC; that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of Sioux Falls VORTAC extending from a line 5 miles southwest of and parallel to the Sioux Falls VORTAC 336° radial clockwise to the northwest edge of V-148, and extending from the south edge of V-120 east of Sioux Falls clockwise to the south edge of V-120 west of Sioux Falls; and that airspace extending upward from 5,000 feet MSL within a 43-mile radius of Sioux Falls VORTAC, extending from the south edge of V-120 east of Sioux Falls clockwise to the south edge of V-120 west of Sioux Falls, excluding the area which overlies V-15, V-15E, V-148, V-181, and V-181W; and within a 33-mile radius of Sioux Falls VORTAC, extending from a line 5 miles southwest of and parallel to the Sioux Falls VORTAC 336° radial clockwise to the northwest edge of V-148, excluding the portion which overlies V-181.

The proposed 700-foot floor transition area will provide controlled airspace protection for arriving and departing aircraft at Joe Foss Field, Sioux Falls, S. Dak., during descent from 1,500 to 1,000 feet above the surface and during climb to 1,200 feet above the surface.

The proposed 1,200-foot floor transition area will provide controlled airspace protection for arriving and departing aircraft at this airport during the portions of the arrival procedures executed between 1,500 feet above the surface and 5,000 feet MSL and during the portion of the departure procedures executed between 1,200 feet above the surface and 5,000 feet MSL.

The proposed transition area with a floor of 5,000 feet MSL will provide controlled airspace protection for aircraft holding at the Chester, Sherman, Parker, and Canton, S. Dak., intersections, and for the portions of the high altitude approach procedures executed above 5,300 feet MSL. The portions of this 5,000-foot MSL floor transition area southeast and west of Sioux Falls in conjunction with the 1,200-foot and 700-foot transition areas will provide controlled airspace protection for aircraft transitioning to and from jet route J-82.

The floors of the airways that traverse the transition area proposed herein will automatically coincide with the floors of the transition area.

No procedural changes will be effected in conjunction with the actions proposed herein.

Specific details of this proposal may be examined by contacting the Chief, Standards and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 5, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-5753; Filed, May 23, 1967; 8:47 a.m.]

[14 CFR Parts 71, 73]

[Airspace Docket No. 67-WE-8]

RESTRICTED AREA AND CONTINENTAL CONTROL AREA

Proposed Designation and Alteration

The Federal Aviation Administration is considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would designate a new joint use restricted area near Tonopah, Nev., and include it in the continental control area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Tonopah Test Range, presently designated as Restricted Area R-4809, has been utilized by the Atomic Energy Commission (AEC) since 1956. Additional rocket programs scheduled for testing at the Tonopah Test Range cannot be contained within the existing R-4809 and ground installations and instrumentation within R-4807 and R-4808 prevent their use for impact areas. The test rockets would be fired from launchers located in the Tonopah Test Range, R-4809 and the proposed restricted area would provide two impact areas. The proposed new area would be designated as R-4814 and subdivided into two parts to provide more flexibility in the management of the airspace under the joint use concept.

The Tonopah Test Range launch facilities and associated instrumentation are a part of an $11 million investment

in permanent testing facilities. Due to the close proximity to Albuquerque, N. Mex., and the remote location of the test range, the Atomic Energy Commission considers it to be in the best interest of the Government to be able to continue the use of the test range for rocket testing that requires higher altitudes. The apogee of the rockets will vary up to 1 million feet. These rockets are essentially vertical probes, wherein the exit and reentry part of the trajectory, below 100,000 feet, is practically vertical.

These rockets will be solid fuel ballistic devices with one, two, or three stages and since they do not have guidance mechanisms, the expected impacts are somewhat dispersed. Therefore, the proposed restricted area is relatively large in order to insure an adequate degree of safety. The reentry payloads envisioned are inert, i.e., nonexplosive, nonfragmenting, and not radioactive. These rockets, which vary in size from 3 to 13 inches in diameter and are 3 to 20 feet long, will be fired on an infrequent basis. AEC plans to fire approximately 10 to 15 rockets per year with each firing period scheduled for a duration of 30 hours. The actual flight time of the rockets from launch to impact is approximately 5 minutes with a maximum of 15 minutes expected.

R–4814A would infringe on a natural VFR flyway between Las Vegas and Currant, Nev., and both R–4814A and R–4814B would overlie Federal airway V–244 and jet route J–80. Since the actual closure periods should be brief and infrequent, the principal inconvenience to airmen will arise from the necessity for checking the status of the area before transit. Normally, the exact time of the rocket firing is not critical and could be adjusted to accommodate aircraft operating on an air traffic control clearance on V–244 and J–80. Delays of such traffic would not be expected except that an occasional aircraft could be delayed for 5 or 10 minutes.

The proposed restricted area would include those segments of two circles which lie outside of existing restricted areas R–4807, R–4808, and R–4809. One circle would be centered on latitude 37°47'00" N., longitude 116°21'30" W. and have a radius of 27 statute miles. The other would be centered on latitude 37°53'30" N., longitude 115°48'20" W., and have a radius of 36 statute miles. The altitudes would include from the surface to flight level 240. Aircraft above flight level 240 would be separated from the rocket firings through air traffic control procedures.

The surface underlying the proposed restricted area is almost entirely public land under the jurisdiction of the Bureau of Land Management and the Forest Service. As a safety precaution, all individuals residing within or having an interest in the area will be evacuated during the tests. The AEC will negotiate with these persons and compensate them for their inconvenience. In addition, U.S. Highway 25 which runs through the area will be closed during the test periods.

If action is taken to adopt this proposal, a new restricted area, R–4814A and R–4814B, will be designated at Tonopah, Nev., as follows:

R–4814A TONOPAH, NEV.

Boundaries: Beginning at latitude 37°53'-00" N., longitude 116°50'15" W.; thence clockwise via the arc of a circle with a 27-statute-mile radius centered at latitude 37°-47'00" N., longitude 116°21'30" W.; to latitude 37°40'30" N., longitude 115°53'00" W.; to latitude 37°42'00" N., longitude 115°53'-00" W.; to latitude 37°42'00" N., longitude 116°11'00" W.; to latitude 37°53'00" N., longitude 116°11'00" W; to the point of beginning.

Designated altitudes: Surface to FL 240.

Time of designation: Monday through Saturday, as published by NOTAM issued at least 48 hours in advance and upon termination of use.

Controlling agency: Federal Aviation Administration, Salt Lake City ARTC Center.

Using agency: Manager, Atomic Energy Commission, Albuquerque, N. Mex.

R–4814B TONOPAH, NEV.

Boundaries: Beginning at latitude 38°10'-30" N., longitude 116°21'30" W.; thence clockwise via the arc of a circle with a 36-statute-mile radius centered at latitude 37°-53'30" N., longitude 115°48'20" W.; to latitude 37°24'00" N., longitude 115°35'00" W.; to latitude 37°28'00" N., longitude 115°-35'00" W.; to latitude 37°28'00" N., longitude 115°48'00" W.; to latitude 37°33'00" N., longitude 115°48'00" W.; to latitude 37°33'-00" N., longitude 115°53'00" W.; to latitude 37°40'30" N., longitude 115°53'00" W.; thence counterclockwise via the arc of a circle with a 27-statute-mile radius centered at latitude 37°47'00" N., longitude 116°21'-30" W.; to point of beginning.

Designated altitudes: Surface to FL 240.

Time of designation: Monday through Saturday, as published by NOTAM issued at least 48 hours in advance and upon termination of use.

Controlling agency: Federal Aviation Administration, Salt Lake City ARTC Center.

Using agency: Manager, Atomic Energy Commission, Albuquerque, N. Mex.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on May 17, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67–5754; Filed, May 23, 1967; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 103]

[Ex Parte 253]

CARRIER AGREEMENTS RELATING TO RATES, FARES, ETC.

Stay of Effective Date

MAY 19, 1967.

Notice of independent action-regulations governing the giving of public notice of tariff publication proposals by individual carriers where publication is to be effected by a rate conference.

This rulemaking proceeding, initiated by a notice of proposed rulemaking published in 31 F.R. 13392 on October 15, 1966, was conducted under the Commission's modified procedure.

The Hearing Examiner issued his recommended report and order proposing an amendment to Part 103 of Chapter I, Subtitle B of Title 49 of the Code of Federal Regulations. This amendment was set out in a Notice of Issuance of Examiner's Recommended Report and Order published in the rules and regulations section on page 6451 of the FEDERAL REGISTER issue of April 26, 1967, as F.R. Doc. 67–4606.

On May 11, 1967, notice was published on page 7128 of the FEDERAL REGISTER that F.R. Doc. 67–4606 was inadvertently published in the rules and regulations section of the FEDERAL REGISTER, and that the document should have been published in the Proposed Rule Making Section of the April 26, 1967 issue. A cross-reference redesignating F.R. Doc. 67–4606 to the Proposed Rule Making Section was published on page 7134 of the May 11, 1967, FEDERAL REGISTER.

Exceptions having been timely filed to the Examiner's Recommended Report and Order the effective date of the proposed amendment to Part 103 is stayed until further notice.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67–5767; Filed, May 23, 1967; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 2105]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 15, 1967.

The Department of Agriculture, on behalf of the Forest Service, has filed application, Montana 2105, for the withdrawal of the lands described below, from all forms of appropriation, subject to existing valid claims.

The applicant desires the land for the development of a road in connection with the administration of the Lolo National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont. 59101.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for the purpose other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

LOLO NATIONAL FOREST

PRINCIPAL MERIDIAN MONTANA

Harvey Creek Road

T. 11 N., R. 14 W.,
Sec. 20, Lot 3, SE¼SW¼.
A strip of land 60 feet in width, being 30 feet on each side of the centerline of Harvey Creek Road No. 307 in and through the above subdivisions, and as shown on the attached plat.
Total area—2.72 acres, more or less.
T. 11 N., R. 14 W.,
Sec. 20, NW¼SW¼.
A tract of land of variable width in the above subdivision in accordance with the figures and measurements as shown on the attached plat.
Total area—0.92 acres, more or less.

The areas described aggregate 3.64 acres.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 67-5733; Filed, May 23, 1967; 8:45 a.m.]

[Utah 2945]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

MAY 16, 1967.

The U.S. Forest Service, Department of Agriculture, has filed an application for the withdrawal of the lands described below, from all forms of appropriation except the General Mining and Mineral Leasing laws.

The applicant desires the land for extending the boundaries of the Manti-LaSal National Forest. The lands were obtained in a private exchange of land and are suitable for inclusion into the forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, Utah 84111.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

T. 19 S., R. 7 E.,
Sec. 8, S½NW¼, and NE¼SW¼.

The area described contains 120 acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 67-5734; Filed, May 23, 1967; 8:45 a.m.]

[Utah 2930]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

MAY 17, 1967.

The U.S. Forest Service, Department of Agriculture, has filed application for the withdrawal of the lands described below, from all forms of appropriation except the general mining and mineral leasing laws, subject to existing valid rights.

The applicant desires the land to extend the boundaries of the Fishlake National Forest, Utah, to include an isolated parcel of public domain land suitable for national forest purposes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned office of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, Utah 84111.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

T. 23 S., R. 3 E.,
Sec. 11, E½E½, S½SW¼, SW¼SE¼.

The area described aggregates 280 acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 67-5735; Filed, May 23, 1967; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 1]

SALES OF CERTAIN COMMODITIES

May Sales List

Pursuant to the policy of the Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein, the CCC Monthly Sales List for May 1967 is amended as set forth below:

1. A new section which covers Dry Edible Beans is inserted immediately after the Tung Oil section. The new section will read as follows:

DRY EDIBLE BEANS—(BAGGED)

A. Domestic market price but not less than the following minimum prices per hundredweight for U.S. No. f.o.b. indicated points of production. Amount of paid-in-freight to be added as applicable. For other grades and locations, adjust by applicable 1966 price support differentials.

Class	Price per cwt.	Area of production
Pea	7.37	Michigan.
Light red kidney	9.51	Michigan/New York.

B. *Available.* Evanston Grain Merchandising ACSC Office.

2. An unrestricted use section for peanuts is being added and will read as follows:

Unrestricted use.

A. U.S. Medium—Virginia type, offered at the higher of the market price or 105 percent of support plus carrying charges.

B. When stocks are available, lot lists are issued by Peanut Growers Cooperative Marketing Association, Franklin, Va.

3. The first sentence of paragraph 12 of press release portion of the Sales List is amended to read as follows:

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3 or GSM-4) for May 1967 are 5½ percent for U.S. bank obligations and 6½ percent for foreign bank obligations, without regard to credit periods involved, up to a maximum of 36 months. * * *

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, and 307, 76 Stat. 614-617; U.S.C. 1441 (note))

Signed at Washington, D.C., on May 18, 1967.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-5756; Filed, May 23, 1967; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18573; Order E-25169]

FRONTIER AIRLINES, INC.

Order of Investigation and Suspension Regarding Ladies Fare Proposal

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of May 1967.

By tariff [1] posted April 17, 1967, and marked to become effective June 1, 1967, Frontier Airlines, Inc. (Frontier) has proposed ladies round-trip excursion fares at the level of 60 percent of the standard fare applicable to such transportation. Transportation under this proposal, is limited to women at least 22 years of age, must be completed within 15 days after the date of departure of the going portion of the trip, and is subject to a minimum round-trip fare of $20. The tariff will not be applicable in some of Frontier's competitive markets, and bears an expiration date of August 31, 1967.

In its letter of justification accompanying the tariff transmittal, and in its answer to complaints, Frontier asserts that its proposal is of extraordinary and unusual importance to the carrier and is economically justified, that an experimentation period is required in order to evaluate the fare, and that the fare is not unjustly discriminatory since it will not have an adverse effect upon other passengers. With regard to economic justification, the carrier asserts that the adult female population constitutes an untapped source for airline travel, that its Ladies Fare will result in an increase of at least 75 percent in adult female travel producing an estimated annual increase in operating profit of approximately $900,000 after allowance for a 60 percent diversion of present full-fare female passengers and for the added cost of handling the additional passengers, and that as a result, Frontier's subsidy would be reduced by $188,000 annually. The carrier states that it wishes to market test the Ladies Fares and to evaluate the success of the Ladies Fares by comparing the growth and development of traffic in the markets where the Ladies Fares are applicable with those where they are not; that it will develop more detailed information on the use of the fares by means of passenger questionnaires; and that the 3-month expiration date affords the Board opportunity to refuse renewal of the tariff after 3 months if it finds that the fares are not beneficial, and also provides Frontier the opportunity to discontinue the fares if it finds them to be unsuccessful. Concerning discrimination, the carrier states that discrimination per se is not illegal and only becomes so if it results in significant prejudice; the law does not prohibit more favorable treatment of one sex when the favorable treatment has no adverse effect upon members of the opposite sex. Frontier asserts that there is no factual basis for finding that the proposed fares would have an adverse effect upon other passengers, that men as a class would benefit from the reduced fares since the proposed tariff will provide reduced transportation costs for their wives, mothers, sisters, and daughters, and that the proposed fares would eliminate a significant element of discrimination under existing tariffs wherein a married woman traveling with her husband receives a substantial Family Plan discount while a single or widowed woman is denied such discount. In addition, the carrier states that, rather than burdening other traffic, its various promotional fares have resulted in a significant reduction of unit costs.

Complaints requesting investigation and suspension of the Ladies Fare proposal have been filed by Northwest Airlines, Inc. (Northwest), and Western Air Lines, Inc. (Western). The complaints assert that the instant proposal is basically the same as that filed by Frontier in late 1966, and which the Board ordered investigated and suspended by Order E-24563, December 27, 1966. Complainants contend that a special fare based upon the sex of the passenger is unjustly discriminatory and runs directly counter to the Federal Government's philosophy of abrogating discrimination based upon sex. In addition, it is asserted that the proposal is unjust and unreasonable and that Frontier's use of an added cost technique is improper.

The Board has determined to investigate Frontier's Ladies Fare proposal. By Order E-24563, December 27, 1966, the Board ordered the investigation and suspension of an earlier Frontier Ladies Fare tariff. The instant proposal differs from the earlier one in three respects: (1) It offers a discount of 40 percent instead of 50 percent; (2) it excludes 29 competitive markets instead of applying systemwide; and (3) it is limited to an initial 3-month period instead of 6 months. None of these differences remove the basic question of discrimination inherent in the proposal. Therefore, for the reasons more fully stated in Order E-24563, December 27, 1966, the Board will also suspend the tariff pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof:

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions in Rule 18 on 1st Revised Page 32 of tariff CAB No. 101 issued by Airline Tariff Publishers, Inc., Agent, and rules, reg-

[1] Rule 18 of Airline Tariff Publishers, Inc., Agent, CAB No. 101.

ulations, and practices affecting such fares and provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions in Rule 18 on 1st Revised Page 32 of tariff CAB No. 101 issued by Airline Tariff Publishers, Inc., Agent, are suspended and their use deferred to and including August 29, 1967, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated;

4. Except to the extent granted herein, the complaints of Northwest Airlines, Inc., in Docket 18494, and Western Air Lines, Inc., in Docket 18489 be dismissed; and

5. Copies of this order be filed with the aforesaid tariff and be served upon Frontier Airlines, Inc., Northwest Airlines, Inc., and Western Air Lines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-5762; Filed, May 23, 1967; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

CHICAGO, DULUTH AND GEORGIAN BAY TRANSIT CO. (GEORGIAN BAY LINE) ET AL.

Security for Protection of the Public; Application for Casualty Certificate

Notice is hereby given that pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, Amendment 2 (46 CFR Part 540) the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages:

Chicago, Duluth and Georgian Bay Transit Co. (Georgian Bay Line).
Rederiaktiebolaget Clipper (Clipper Steamship Co.) (Clipper Line).
Victoria Steamship Co., Ltd. (Incres Line).
Alaska Cruise Lines, Ltd.
N. V. Nederlandsch-Amerikaansche Stoomvaart-Maatschappij (Holland-America Line).
Europa-Canada Linie G.m.b.H., Bremen (Europe-Canada Line and ECL Shipping Co.).
Aktiebolaget Svenska Amerika Linien (Swedish American Line).
Grace Line, Inc.
The Cunard Steam-Ship Co. Ltd. (Cunard).
N.V. Mailschip Rotterdam (Holland-America Line).
Den norske Amerikalinje A/S (Norwegian America Line).
"Italia" Societa' Per Azioni Di Navigazione (Italian Line).
Home Lines, Inc. (Home Lines).
Delta Steamship Lines, Inc. (Delta Line).
Compagnie Generale Transatlantique (French Line).
Transatlantic Shipping Corp. and Transoceanic Navigation Corp. (Greek Line).
Giacomo Costa Fu Andrea (Costa Line) (Linea "C").
Moore McCormack Lines, Inc.
Matson Navigation Co./The Oceanic Steamship Co. (Matson Lines).
Aegean Cruises, S.A. and Unitours, Inc. (Aegean: Epirotiki Lines).
The New Zealand Shipping Co., Ltd.
Jugoslavenska linijska plovidba-Rijeka (Jugolinija; Yugoline).
Compagnie Francaise de Navigation (Paquet Lines).
Canadian Pacific Railway Co. (Canadian Pacific).
Oceanic Special Shipping Co., Ltd.
The Indo China Steam Navigation Co., Ltd.

Dated: May 19, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-5764; Filed, May 23, 1967; 8:48 a.m.]

HANSEATIC SCHIFFAHRTS-GESELLSCHAFT m.b.H. & CO. ET AL.

Security for Protection of the Public; Issuance of Performance Certificate

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR Part 540) that a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation has been issued to the following:

Hanseatic Schiffahrts-Gesellschaft m.b.H. & Co., Deutsche Atlantik Schiffahrts-Gesellschaft m.b.H & Co. (Hanseatic Line, Inc.) (German Atlantic Line) (GAL). Certificate No. P-46. Effective date: May 18, 1967.
Council on International Educational Exchange, Inc. (Council on Student Travel). Certificate No. P-47. Effective date: May 18, 1967.

Dated: May 19, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-5765; Filed, May 23, 1967; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP67-329]

COMMUNITY NATURAL GAS CO., INC., AND MIDWESTERN GAS TRANSMISSION CO.

Notice of Application

MAY 16, 1967.

Take notice that on May 8, 1967, Community Natural Gas Co., Inc. (Applicant), 111 North Main Street, Owensville, Ind. 47565, filed in Docket No. CP67-329 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Midwestern Gas Transmission Co. (Respondent) to establish physical connection of its transmission facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in the community of Carlisle, Ind., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 0.57 miles of 3-inch lateral transmission line extending due west from a point of interconnection with Respondent's main transmission line to a point of connection with the proposed municipal distribution system at the town border of Carlisle, Ind.

Applicant estimates the third year peak daily and peak annual natural gas requirements at 380 Mcf and 31,000 Mcf, respectively.

Applicant estimates the total cost of the proposed facilities at approximately $98,000, said cost to be financed through the sale of common stock, a bank loan and cash from internal sources.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 12, 1967.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 67-5729; Filed, May 23, 1967; 8:45 a.m.]

[Docket No. CI64-1138]

TEXACO, INC., ET AL.

Notice of Petition To Amend

MAY 16, 1967.

Take notice that on May 8, 1967, Texaco, Inc. (Operator), et al. (Petitioner), Post Office Box 52332, Houston, Tex. 77052, filed in Docket No. CI64-1138 a petition to amend the order issuing a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act in said docket by authorizing Petitioner to sell additional volumes of natural gas, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Petitioner proposes to sell an additional 4,000 Mcf of natural gas per day to El Paso Natural Gas Co. from the Fuller Gasoline Plant, Scurry County, Tex., at a total initial rate of 15.74 cents per Mcf at 14.65 p.s.i.a. pursuant to its FPC Gas Rate Schedule No. 328. Petitioner has submitted as a supplement to the related rate schedule a supplemental agreement with the gas purchaser for the sale of the additional volumes. Petitioner agrees to accept a certificate amendment which conforms to the provisions of the Commission's Opinion No. 468, 34 FPC 159, to the extent

that such provisions are judicially upheld or not further stayed.

The subject petition has been filed under protest and is conditioned by Petitioner upon a determination being made by the Commission that additional certificate authorization is required for the service proposed. Petitioner states that the proposed increase in sales and deliveries of residue gas derived from casinghead gas results from a more rapid rate of production arising out of an increase in oil allowables. Petitioner submits that the subject petition and rate schedule supplement pertain to the identical gas reserves from which sales were heretofore authorized in this docket inasmuch as the contract comprising Petitioner's FPC Gas Rate Schedule No. 328 provides that the gas purchaser has the right to increase its daily takes and that upon commencement of the additional deliveries the contract volume previously in effect automatically will be increased by the amount of the additional volumes.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 12, 1967.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 67-5730; Filed, May 23, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2104]

GREAT AMERICAN INSURANCE CO.

Notice of Filing of Application for Order Exempting Transaction Between Affiliated Persons

MAY 18, 1967.

Notice is hereby given that Great American Insurance Co. ("Great American"), 99 John Street, New York, N.Y. 10038, a New York corporation, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from the provisions of section 17(a) of the Act a proposed purchase by Great American from Insurance Securities Trust Fund ("Trust"), a registered open-end, diversified investment company, of 52,221 shares of the capital stock of Peoples Life Insurance Co. ("Peoples Life"), a life insurance company incorporated in the District of Columbia. All interested persons are referred to the application on file with the Commission for a full statement of the representations made therein, which are summarized below.

As of December 31, 1966 Trust owned 309,820 shares, or slightly less than 10 percent, of the capital stock of Great American. Such ownership has not changed materially since that date. Great American is therefore an affiliated person of Trust within the meaning of section 2(a)(3) of the Act. Trust also owns 52,221 shares, or approximately 4.1 percent of the outstanding capital stock of Peoples Life. Great American represents that there are no other relationships between Trust and either Great American or Peoples Life.

Section 17(a) of the Act, as here pertinent, makes it unlawful for Great American, an affiliate of Trust, to purchase from such registered investment company any security or other property unless the Commission upon application pursuant to section 17(b) grants an exemption from the provisions of section 17(a) after finding that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of the Trust and with the general purposes of the Act.

Applicant represents that the $40 per share purchase price of the Peoples Life stock was the asked price quoted on April 12, 1967, the day the arrangement was entered into and negotiated at arm's length. Applicant also states that it is unlikely that the Trust could sell its 52,221 shares of Peoples Life stock at a more favorable price since this block has no value from the standpoint of control in view of the large holdings of persons connected with the management of Peoples Life. In addition, applicant indicates that it would probably be unable to acquire a block of this size in the open market without causing an increase in price to a point where the investment could no longer be justified.

The transaction is to be consummated within 20 days after issuance of the Commission's order pursuant to section 17(b).

Notice is further given that any interested person may, not later than June 5, 1967 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in the application, unless an order for hearing upon the application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-5737; Filed, May 23, 1967; 8:45 a.m.]

INTERAMERICAN INDUSTRIES, LTD.

Order Suspending Trading

MAY 18, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the capital stock of Interamerican Industries, Ltd., Calgary, Alberta, Canada, being traded in the United States otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in the United States in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 19, 1967, through May 28, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-5766; Filed, May 23, 1967; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 390]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 19, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. and also in the

field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 493 (Sub-No. 4 TA), filed May 17, 1967. Applicant: HYMAN MOTOR SERVICE CO., 425 South 6th Street, Quincy, Ill. 62301. Applicant's representative: R. W. Burgess, 8514 Midland Boulevard, St. Louis, Mo. 63114. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment), serving the plantsite of Missouri Farmers Association, Inc., adjacent to the Missouri Electric Co-Operative, near Palmyra, Mo., as an off-route point in connection with applicant's authorized regular-route operations between Quincy, Ill., and St. Louis, Mo., for 180 days. Supporting shipper: Missouri Farmers Association, Inc., 201 South Seventh, Columbia, Mo. 65201. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 114301 (Sub-No. 48 TA), filed May 17, 1967. Applicant: DELAWARE EXPRESS CO., a corporation, Post Office Box 97, Elkton, Md. 21921. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible tallow*, in bulk, from Berlin, Md., to points in Delaware, Virginia, West Virginia, New Jersey, and Pennsylvania (except those points in New Jersey and Pennsylvania located within 100 miles of Columbus Circle, N.Y.), and the District of Columbia, for 150 days. Supporting shipper: Ralston Purina Co., Checkerboard Square, Saint Louis, Mo. 63199 (Roy H. Shipley, Poultry Products Division, Traffic Manager). Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 206 Old Post Office Building, Salisbury, Md. 21801.

No. MC 118290 (Sub-No. 5 TA), filed May 17, 1967. Applicant: EDWARD F. FULLER, doing business as EDDIE FULLER, 2180A Northwest 23d Street, Miami, Fla. 33142. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Fannin at Capital, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Groceries*, not frozen, requiring refrigeration in transit, from Miami, West Palm Beach, and Tampa, Fla., to Houston and Dallas, Tex., and Los Angeles and San Francisco, Calif., for 180 days. Supporting Shippers: Miavana Wholesale Co., Inc., 1031 Northwest 21st Street, Miami, Fla. 33137; West Indies Food & Packing, Inc., 2149 Northwest 10th Avenue, Miami, Fla. 33152; and N. Polanco, Inc., 2177 Northwest Eighth Avenue, Miami, Fla. 33127. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 123067 (Sub-No. 60 TA), filed May 17, 1967. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. 27105. Applicant's representative: Frank C. Philips, Post Office Box 612, Winston-Salem, N.C. 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Olivine*, dry, in bulk, in tank vehicles, from points in Jackson County, N.C., to points in Alabama, Georgia, Pennsylvania, and Tennessee, for 180 days. Supporting Shipper: E. J. Lavino & Co., Division of International Minerals & Chemicals Corp., Three Penn Center Plaza, Philadelphia, Pa. 19102. Send protests to: Jack K. Huff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 206, 327 North Tryon Street, Charlotte, N.C. 28202.

No. MC 123393 (Sub-No. 182 TA), filed May 17, 1967. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale, Post Office Box 948, Commercial Station, Springfield, Mo. 65803. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from La Porte, Ind., to points in Missouri, Arkansas, Oklahoma, and Kansas, for 180 days. Supporting shipper: American Home Foods, Division of American Home Products Corp., 685 Third Avenue, New York, N.Y. 10017. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 67-5768; Filed, May 23, 1967; 8:48 a.m.]

[Notice 447]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MAY 19, 1967.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 30504 (Deviation No. 6), TUCKER FREIGHT LINES, INC., 1415 South Olive Street, South Bend, Ind. 46621, filed May 5, 1967. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Bristol, Ind., over Indiana Highway 120 to junction Indiana Highway 13, thence over Indiana Highway 13 to junction U.S. Highway 131, thence over U.S. Highway 131 to junction U.S. Highway 12, and return over the same route, for operating convenience only. The notice indicates that the carrier presently authorized to transport the same commodities, over a pertinent service route as follows: From Elkhart, Ind., over Indiana Highway 120 to junction Indiana Highway 15, thence over Indiana Highway 15 to the Indiana-Michigan State line, thence over Michigan Highway 103 (formerly portion U.S. Highway 131), to junction U.S. Highway 12 (formerly portion U.S. Highway 112), thence over U.S. Highway 12 to Somerset Center, Mich., thence over unnumbered highway (formerly portion U.S. Highway 127) to Jackson, Mich., and return over the same route.

No. MC 33641 (Deviation No. 4), IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110, filed May 8, 1967. Carrier's representative: Marshall G. Berol, 100 Bush Street, San Francisco, Calif. 94104. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 93 and Interstate Highway 80N, north of Twin Falls, Idaho, over Interstate Highway 80N to junction Interstate Highway 15W, thence over Interstate Highway 15W to junction Interstate Highway 15, thence over Interstate Highway 15 to Pocatello, Idaho, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Weiser, Idaho, over U.S. Highway 95 via Payette, Idaho, to Fruitland, Idaho, thence over U.S. Highway 30 to Ontario, Oreg., thence over U.S. Highway 26 via Nyssa, Oreg., to junction U.S. Highway 20, thence over U.S. Highway 20 via Parma and Notus, Idaho, to junction U.S. Highway 30, thence over U.S. Highway 30 via Nampa, Meridian, Boise, Mountain Home, and Glenns Ferry, Idaho, to Bliss, Idaho, thence over Idaho Highway 24 via Gooding, Idaho, to Shoshone, Idaho, thence over U.S. Highway 93 to Twin Falls, Idaho (also from Bliss over U.S. Highway 30 via Buhl and Filer to Twin Falls), thence over U.S. Highway 30 to Burley, Idaho, thence over U.S. Highway 30S via Malta and Strevell,

Idaho, and Snowville, Tremonton, and Bear River City, Utah, to Brigham City, Utah, (2) from Pocatello, Idaho, over U.S. Highway 30N to Montpelier, Idaho, (3) from Salt Lake City, Utah, over U.S. Highway 91 to Preston, Idaho, thence over Idaho Highway 34 to junction U.S. Highway 30N, thence over U.S. Highway 30N to Montpelier, Idaho (also, when Idaho Highway 34 is impassable due to weather condition, from Preston over U.S. Highway 91 to junction U.S. Highway 30N, thence over U.S. Highway 30N to Montpelier), thence over U.S. Highway 89 to Paris, Idaho, and (3) from Afton, Wyo., over U.S. Highway 89 to Alpine, Wyo., thence over U.S. Highway 26 to junction U.S. Highway 191, thence over U.S. Highway 191 to Pocatello, Idaho (also from Afton over U.S. Highway 89 to Geneva, Idaho, thence across the Idaho-Wyoming State line to Wyoming Highway 89, thence over Wyoming Highway to Border, Wyo., thence over U.S. Highway 30N to Pocatello), and return over the same routes.

No. MC 33641 (Deviation No. 5), IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110, filed May 8, 1967. Carrier's representative: Marshall G. Berol, 100 Bush Street, San Francisco, Calif. 94104. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over Interstate Highway 55 to Chicago, Ill., and return over the same route, for operating rights convenience only, restricted to shipments moving to or from Denver, Colo., or points west thereof. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Denver, Colo., over U.S. Highway 36 to Smith Center, Kans., thence over U.S. Highway 281 to junction U.S. Highway 24, thence over U.S. Highway 24 to Kansas City, Mo., thence over U.S. Highway 50 to St. Louis, Mo., and (2) from Chicago, Ill., over Alternate U.S. Highway 30 to junction U.S. Highway 30, thence over U.S. Highway 30 to Missouri Valley, Iowa, thence over Alternate U.S. Highway 30 to Council Bluffs, Iowa, thence over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., and return over the same routes.

No. MC 33641 (Deviation No. 6), IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110, filed May 8, 1967. Carrier's representative: Marshall G. Berol, 100 Bush Street, San Francisco, Calif. 94104. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over Interstate Highway 70 to junction Interstate Highway 75, thence over Interstate Highway 75 to Dayton, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 50 via Shoals, Ind., to Cincinnati, Ohio, thence over U.S. Highway 25 (or Ohio Highway 4) to Dayton, Ohio, and return over the same route.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Deviation No. 375) (Cancels Deviation No. 353), GREYHOUND LINES, INC. (Southern Division), 219 East Short Street, Lexington, Ky. 40507, filed April 24, 1967, should be corrected to properly describe the access route as follows: From Cullman, Ala., over U.S. Highway 278 to junction Interstate Highway 65. Published in the FEDERAL REGISTER May 3, 1967.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5769; Filed, May 23, 1967; 8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MAY 19, 1967.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. C-13718 (Amendment), filed March 3, 1967, published FEDERAL REGISTER issue of April 26, 1967, amended May 10, 1967, and republished as amended this issue. Applicant PAUL E. ARMS, doing business as SALINE CAB CO., 126 East Michigan, Saline, Mich. 48176. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, Detroit, Mich. 48226. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *property*, between Saline and points within 2½ miles thereof, and Manchester, Mich., and points within 1 mile thereof, on the one hand, and, on the other, points and places within 65 miles thereof, limited to shipments weighing not more than 1,000 pounds, moving to a single consignee and moving in taxicabs, sports wagons, panel, or stake trucks. Both intrastate and interstate authority sought.

HEARING: Thursday, June 8, 1967, at 9:30 a.m., Michigan Public Service Commission, Lewis Cass Building, South Walnut Street, Lansing, Mich. 48913. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Public Service Commission of Michigan, Lewis Cass Building, Lansing, Mich., and should not be directed to the Interstate Commerce Commission. NOTE: The purpose of this republication is to add "and points within 2½ miles thereof", to the origin point of Saline, Mich.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5770; Filed, May 23, 1967; 8:48 a.m.]

[Notice 1064]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 19, 1967.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The below-listed applications are being republished primarily to clarify the commodity description. In the applications as originally published, it might have appeared that applicants seek authority to transport iron and steel articles, including, but not limited to, the commodities named in the original publications. The applicants, however, seek authority to transport only the specific commodities as set forth in the republication below, which are made of iron or steel. The restriction, "in bales or bundles, weighing 2,000 pounds or more each, which require the use of special equipment," appearing in the applications, as filed, refers to the units that will make up a shipment and not to the shipment itself. The territorial authority sought by each applicant remains the same as that sought in the applications as filed and originally published. The public's attention is directed to the Special Footnote immediately following the republication of these applications.

No. MC 4964 (Sub-No. 35) (Republication), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: ROY L. JONES, INC., 915 McCarthy Avenue, Post Office Box 24128, Houston, Tex. 77029. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701.

No. MC 10881 (Sub-No. 5), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: CANYON TRUCKING CO., a corporation, Garden City Highway, Post Office Box 3106, Midland, Tex. 79704. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701.

No. MC 13250 (Sub-No. 88), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. 77022. Applicant's representative Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 18099 (Sub-No. 5), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: ROLAND HELDT, AGNES MARIE HELDT, HERTHA L. HELDT, AND ROLAND HELDT, AGNES MARIE HELDT, HERTHA L. HELDT AND W. L. POWELL, TRUSTEES FOR GRACE ELAINE POGUE, MARY ANN DAVIS, DIANA RUTH HELDT, AND DAVID MICHAEL HELDT, doing business as HELDT BROTHERS, Post Office Drawer 1130, Alice, Tex. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 1925.7 (Sub-No. 116), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: LEONARD BROS. TRUCKING CO., INC., 2595 Northwest 20th Street, Post Office Box 52-602, Biscayne Annex, Miami, Fla. 33152. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 22046 (Sub-No. 15), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: W. M. (BILLY) WALKER, INC., 129 South Grimes Street, Hobbs, N. Mex. 88240. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 23618 (Sub-No. 12), filed March 2, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: McALISTER TRUCKING COMPANY, a corporation, Post Office Box 2377, Abilene, Tex. 79604. Applicant's representative: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. 78701.

No. MC 24583 (Sub-No. 13), filed March 20, 1967, published FEDERAL REGISTER issue of April 6, 1967. Applicant: RODNEY STEWART & TROY STEWART, a partnership, doing business as FRED STEWART COMPANY, 129 South Clay Street, Post Office Box 659, Magnolia, Ark. 71753. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

No. MC 27662 (Sub-No. 9), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: M. A. DAVIS TRANSPORT, INC., Post Office Box 9413, Beaumont Highway, Houston, Tex. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin Tex. 78767.

No. MC 29805 (Sub-No. 10), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: GULF STATES TRUCK LINES, INC., 9101 Linwood Avenue, Post Office Box 6090, Shreveport, La. 71106. Applicant's representative: Jerry Pestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 30798 (Sub-No. 3), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: MILLER BROTHERS TRUCK LINE, INC., 901 Northeast 28th Street, Fort Worth, Tex. 76106. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 31321 (Sub-No. 8), filed March 20, 1967, published FEDERAL REGISTER issue of April 6, 1967. Applicant: SOUTHWESTERN TRANSFER COMPANY, INC., 1730 Bassett Avenue, Post Office Box 1611, El Paso, Tex. 79948. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

No. MC 32528 (Sub-No. 32), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: CECIL E. VALLEE, E. H. VALLEE, EFFIE VALLEE ALBAUGH, AND HELEN VALLEE WITHERS, doing business as UNION CITY TRANSFER, 1295 Railroad Avenue, Beaumont, Tex. 77702. Applicant's representative: John H. Benckenstein, 1350 Petroleum Building, Post Office Box 551, Beaumont, Tex. 77704.

No. MC 43867 (Sub-No. 19), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: ALTON LEANDER McALISTER, Post Office Box 2214, Wichita Falls, Tex. 76307. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 56887 (Sub-No. 8), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: JESS EDWARDS, INC., Post Office Box 1091, Corpus Christi, Tex. 78403. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 58311 (Sub-No. 15), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: BALL BROS. TRUCKING COMPANY, INC., 2330 East Main Street, Grand Prairie, Tex. 75050. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 60157 (Sub-No. 9), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: C. A. WHITE TRUCKING COMPANY, INC., 4641 Greenville Avenue, Dallas, Tex. 75206. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 63792 (Sub-No. 12), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: TOM HICKS TRANSFER COMPANY, INC., Post Office Box 283, Harvey, La. 70058. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 72058 (Sub-No. 6), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: HEARD & HEARD, INC., 115 East Vance, Post Office Box S, Refugio, Tex. 78377. Applicant's representative: Benton Coopwood, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 73165 (Sub-No. 231), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 1348, Birmingham, Ala. 35201. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 74321 (Sub-No. 30), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: B. F. WALKER, INC., 650 17th Street, Denver, Colo. 80202. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 77184 (Sub-No. 1), filed February 27, 1967, published FEDERAL REGISTER issue of March 30, 1967. Applicant: PAT BAKER, LESLIE BAKER, AND GLEN BAKER, a partnership, doing business as PAT BAKER AND SONS, Post Office Box 475, Kingsbury, Tex. 78638. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701.

No. MC 79999 (Sub-No. 3), filed March 20, 1967, published FEDERAL REGISTER issue of April 6, 1967. Applicant: E. JACK WALTON TRUCKING COMPANY, a corporation, 13020 Sarah's Lane, also Post Office Box 9789, Houston, Tex. 77015. Applicant's representative: Joe G. Fender, 802 First Houston Savings Building, Houston, Tex. 77002.

No. MC 83539 (Sub-No. 204) (Republication), filed February 6, 1967, and published in FEDERAL REGISTER issues of February 24, 1967, and April 19, 1967. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex. 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102.

No. MC 83835 (Sub-No. 54), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: WALES TRUCKING COMPANY, a corporation, Post Office Box 6186, Dallas, Tex. 75222, also 905 Myers Road, Grand Prairie, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 85557 (Sub-No. 3) (Republication), filed January 9, 1967, published FEDERAL REGISTER issues of February 9, 1967, and April 12, 1967. Applicant: PAUL MUSSLEWHITE, Post Office Box 847, Levelland, Tex. 79336. Applicant's representative: Alvin R. Allison, 719 Houston Street, Levelland, Tex. 79336.

No. MC 85715 (Sub-No. 5), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: J. V. HARRISON TRUCK LINES, INC., Post Office Box 15057, Houston, Tex. 77020. Applicant's representative: Don Felts, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 85811 (Sub-No. 2), filed March 20, 1967, published FEDERAL REGISTER issue of April 6, 1967. Applicant: AMSCO TRANSPORTATION, INC., 10560 Mykawa Road, Houston, Tex.

77048, also Post Office Box 14147, Houston, Tex. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

No. MC 93318 (Sub-No. 15), filed March 2, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: JOE D. HUGHES, INC., Post Office Box 2143, Houston, Tex. Applicant's representative: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. 78701.

No. MC 93884 (Sub-No. 4), filed March 23, 1967, published FEDERAL REGISTER issue of April 6, 1967. Applicant: FRANK C. STRECH TRUCKING CO., Box 2082, 2728 East Pearl, Odessa, Tex. 79760. Applicant's representative: Dan Felts, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 96719 (Sub-No. 2), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: THRASHER TRUCKING COMPANY, a corporation, Post Office Box 116, Monahans, Tex. 79756. Applicant's representative: Benton Coopwood, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 97068 (Sub-No. 6), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: H. S. ANDERSON TRUCKING COMPANY, a corporation, Highway 69, Post Office Box 3656, Port Arthur, Tex. 77640. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 97944 (Sub-No. 5), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: LANES BROTHERS TRUCKING COMPANY, a corporation, Post Office Box 1827, San Angelo, Tex. 76902. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701.

No. MC 98289 (Sub-No. 2), filed April 19, 1967, published FEDERAL REGISTER issue of May 4, 1967. Applicant: RITE-WAY TRANSPORT, INC., 4030 East Magnolia, Post Office Box 12163, Phoenix, Ariz. 85034.

No. MC 98334 (Sub-No. 2), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: INDUSTRIAL TRANSIT SERVICE, a corporation, 3203 Pluto, Dallas, Tex. 75212. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 98649 (Sub-No. 4), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: BUCKALOO TRUCKING COMPANY, a corporation, Post Office Box 570, Kenedy, Tex. 78119. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701.

No. MC 98868 (Sub-No. 3), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: R. R. KENNEDY TRUCKING, INC., Post Office Drawer K, McCamey, Tex. 79752. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 99214 (Sub-No. 4), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: PATTERSON TRUCK LINE, INC., 600 Roosevelt Street, Post Office Box 70, Houma, La. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 99365 (Sub-No. 3), filed February 27, 1967, published March 16, 1967. Applicant: SHORTY HALL RIG CO., INC., Post Office Box 2429, Odessa, Tex. 79760. Applicant's representative: George Fowler, 520 North Lee, Odessa, Tex. 79760.

No. MC 99753 (Sub-No. 2), filed February 27, 1967, published March 16, 1967. Applicant: CLYDE C. DENT, 106 Knight Hurst, Ennis, Tex. Applicant's representative: Albert G. Walker, 304 Capital National Bank Building, Austin, Tex. 78701.

No. MC 102162 (Sub-No. 4), filed March 23, 1967, published FEDERAL REGISTER issue of April 12, 1967. Applicant: RED ARROW HEAVY HAULING, INC., Post Office Box 1897, San Antonio, Tex. 78206. Applicant's representative: Wallace H. Nations, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 103066 (Sub-No. 24), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: STONE TRUCKING COMPANY, a corporation, Post Office Box 2014, Tulsa, Okla. 74101. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex.

No. MC 105984 (Sub-No. 8), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: JOHN B. BARBOUR, JR., doing business as JOHN B. BARBOUR TRUCKING COMPANY, Post Office Box 577, Iowa Park, Tex. 76367. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 106407 (Sub-No. 23), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: T. E. MERCER TRUCKING, CO., a corporation, Post Office Box 1809, Fort Worth, Tex. Applicant's representative: Reagan Sayers, Century Life Building, Post Office Drawer 17007, Fort Worth, Tex. 76102.

No. MC 106497 (Sub-No. 36), filed April 13, 1967, published FEDERAL REGISTER issue April 27, 1967. Applicant: PARKHILL TRUCK COMPANY, a corporation, 4219 South Memorial, Tulsa, Okla. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106.

No. MC 106509 (Sub-No. 20), filed March 2, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: YOUNGER TRANSPORTATION, INC., Post Office Box 14066, Houston, Tex. 77021. Applicant's representative: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. 78701.

No. MC 106623 (Sub-No. 10), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: SOUTHWEST OILFIELD TRANSPORTATION CO., a corporation, Post Office Box 7427, Houston, Tex. 77008. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 106644 (Sub-No. 78), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Post Office Box 17050, Chattahoochee Station, Atlanta, Ga. 30321. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 106775 (Sub-No. 22) (Correction), filed February 27, 1967, published FEDERAL REGISTER issues of March 16, 1967, and March 23, 1967. Applicant: ATLAS TRUCK LINE, INC., Post Office Box 9848, Houston, Tex. 77015. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 106941 (Sub-No. 4), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: WILLIAM H. OTT, doing business as TEXAS HOT SHOT COMPANY, 3815 Irvington Boulevard, Post Office Box 8587, Houston, Tex. 77009. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex 78701.

No. MC 107322 (Sub-No. 93), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: BELL TRANSPORTATION COMPANY, a corporation, 1406 Hays Street, Post Office Box 8598, Houston, Tex. 77009. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin Tex. 78701.

No. MC 107678 (Sub-No. 39), filed March 20, 1967, published FEDERAL REGISTER issue of March 30, 1967. Applicant: HILL & HILL TRUCK LINE, INC., 13019 Sarah Lane, Post Office Box 9698, Houston, Tex. 77015. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

No. MC 107993 (Sub-No. 14), filed February 27, 1967, published March 16, 1967. Applicant: J. J. WILLIS TRUCKING COMPANY, a corporation, Post Office Box 2112, Odessa, Tex. 79760. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 108942 (Sub-No. 4), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: C. G. TODD TRUCKING COMPANY, a corporation, Post Office Box 13734, Dallas, Tex., also 4828 West Illinois Avenue, Dallas, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 109064 (Sub-No. 16), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: TEX-O-KA-N TRANSPORTATION COMPANY, INC., Post Office Box 8367, 3301 Southeast Loop 820, Fort Worth, Tex. 76112. Applicant's representative: Reagan Sayers, Century Life Building, Post Office Drawer 17007, Fort Worth, Tex. 76102.

No. MC 110817 (Sub-No. 13), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: E. L. FARMER & COMPANY, a corporation, 300 South Grant, Post Office Box 3512, Odessa, Tex. Applicant's rep-

resentative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 111412 (Sub-No. 6), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: J. I. HAILEY, INC., Navigation Boulevard, Post Office Box 1919, Corpus Christi, Tex. 78403. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 113459 (Sub-No. 40), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: H. J. JEFFRIES TRUCK LINE, INC., Post Office Drawer 94850, Oklahoma City, Okla. 73109. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 115186 (Sub-No. 6), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: RAY E. RAMSEY, doing business as RAMSEY TRUCKING COMPANY, 1273 Sheffield, Post Office Box 9631, Houston, Tex. 77015. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 115603 (Sub-No. 9), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: TURNER BROS. TRUCKING COMPANY, INC., 5501 South Hattie, Oklahoma City, Okla. 73109. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 119176 (Sub-No. 4), filed March 20, 1967, published FEDERAL REGISTER issue of March 30, 1967. Applicant: THE SQUAW TRANSIT COMPANY, a corporation, 5121 South 49 West Avenue, Post Office Box 9415, Tulsa, Okla. 74107. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

No. MC 119774 (Sub-No. 8), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: MARY ELLEN STIDHAM, N. M. STIDHAM, A. E. MANKINS, JAMES E. MANKINS, SR., a partnership, doing business as EAGLE TRUCKING COMPANY, Post Office Box 471, Kilgore, Tex. 75662. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 119897 (Sub-No. 10), filed February 27, 1967, published March 16, 1967. Applicant: GREAT WESTERN MOTOR LINES, INC., Post Office Box 987, 4601 Avenue H, Rosenberg, Tex. 77471. Applicant's representative: George Fowler, 520 North Lee, Odessa, Tex. 79760.

No. MC 119908 (Sub-No. 3), filed April 19, 1967, published FEDERAL REGISTER issue May 11, 1967. Applicant: WESTERN LINES, INC., Post Office Box 1145, 3523 North McCarty, Houston, Tex. 77001. Applicant's representative: Clarence D. Todd, 1825 Jefferson Place NW., Washington, D.C. 20036.

No. MC 120031 (Sub-No. 2), filed March 20, 1967, published April 6, 1967. Applicant: WOODARD TRUCKING COMPANY, a corporation, 1620 Enid, Post Office Box 8647, Houston, Tex. 77009. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

No. MC 120228 (Sub-No. 3), filed February 27, 1967, published March 16, 1967. Applicant: TRANS WESTERN AIRPORT, INC., Post Office Box 490, 1111 Redondo Avenue, Odessa, Tex. 79760. Applicant's representative: Reagan Sayers, Century Life Building, Post Office Drawer 17007, Fort Worth, Tex. 76102.

No. MC 120257 (Sub-No. 7), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: K. L. BREEDEN & SONS, INC., 410 Alamo Street, Terrell, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 120316 (Sub-No. 2), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: WALTON TRANSPORTATION COMPANY, INC., 13020 Sarah's Lane, Post Office Box 9787, Houston, Tex. 77015. Applicant's representative: Joe G. Fender, 802 Houston First Savings Buildings, Houston, Tex. 77002.

No. MC 120633 (Sub-No. 3), filed March 23, 1967, published FEDERAL REGISTER issue of April 6, 1967. Applicant: SPECIALIZED CARRIERS INC., 310 South 12th Street, Waco, Tex. Applicant's representative: Wallace H. Nations, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 120851 (Sub-No. 2), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: BLASCHKE TRUCKING COMPANY, a corporation, 6242 Hurst, Houston, Tex. 77008. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 121201 (Sub-No. 2), filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: L. D. COOPER TRUCKING & CONTRACTING, INC., 7725 Parkhurst Street, Houston, Tex. 77028. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767.

No. MC 121423 (Sub-No. 2), filed March 20, 1967, published FEDERAL REGISTER issue of April 6, 1967. Applicant: BOYD NAEGELI, INC., 1107 Jackson, South Houston, Tex. 77587. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

No. MC 121424 (Sub-No. 2), filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: DAL-HAR DISTRIBUTING COMPANY, INC., 1517 Briarcrest, Dallas, Tex. 75224. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224.

No. MC 128901, filed February 27, 1967, published FEDERAL REGISTER issue of March 16, 1967. Applicant: TEXAS TRANSPORT, INC., 6637 West Commerce Street, San Antonio, Tex. 78237. Applicant's representative: Benton Coopwood, The 904 Lavaca Building, Austin, Tex. 78701.

No. MC 128908, filed February 27, 1967, published FEDERAL REGISTER issue of March 23, 1967. Applicant: WALTER PITTS, INC., Post Office Box 14534, San Antonio, Tex. Applicant's representative: Albert G. Walker, 304 Capital National Bank Building, Austin, Tex. 78701.

No. MC 128949, filed March 20, 1967, published FEDERAL REGISTER issue of April 13, 1967. Applicant: BIGGS OF TEXAS, INC., 8110 La Porte Road, Houston, Tex. 77012. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) The following iron or steel articles to wit: *Plates, posts, angles, forms, sheets, rounds, channels, beams, ingots, piling, billets, blooms, reinforcing rods, bars, wire mesh* and *pipe*, in bales or bundles, weighing 2,000 pounds or more each, which require the use of special equipment; and (2) the following iron or steel articles to wit: *Sheets, beams, plates*, and *coils*, weighing 2,000 pounds or more each, requiring the use of special equipment.

SPECIAL FOOTNOTE: The above republication reflects the scope of the applications as filed by applicants. The Special Notice set forth above applies with respect to this republication in the same manner as to initial publication.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5771; Filed, May 23, 1967; 8:48 a.m.]

[Notice 1065]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 19, 1967.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 125722 (Sub-No. 1) (Republication), filed February 3, 1963, published FEDERAL REGISTER issues of October 25, 1963, and January 31, 1964, under MC-FC-65666, and republished this issue. Applicant: GREAT WESTERN PACKERS EXPRESS, INC., 5151 York Road, Post Office Box 16886, Denver, Colo. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill. 60602. In No. MC 125722 (Sub-No. 3) and No. MC 125722 (Sub-No. 6), by a consolidated order entered March 30, 1965, the Commission, Operating Rights Board No. 1, authorized the issuance to applicant of a

certificate to transport meats, meat products, meat byproducts and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, and dairy products, from Denver, Colorado Springs, and Pueblo, Colo., to Phoenix, Tucson, and Prescott, Ariz., subject to the coincidental cancellation of that part of applicant's certificate No. MC 125722 (Sub-No. 1), dated February 8, 1965, which authorized the transportation of packinghouse products and dairy products; and that, pursuant to the said order, certificate No. MC 125722 (Sub-No. 1), dated June 1, 1965, was issued to applicant, superseding and canceling certificate No. MC 125722 (Sub-No. 1), dated February 8, 1965, as modified by the said order.

Certificate No. MC 125722 (Sub-No. 1), dated February 8, 1965, authorized among other things the transportation of packinghouse products and dairy products from Denver, Colo., to Tucson, Ariz., over a described regular route, serving the intermediate points of Colorado Springs and Pueblo, Colo., and Prescott and Phoenix, Ariz.; and that the purpose of the applications in No. MC 125722 (Sub-Nos. 3 and 6), was to convert applicant's regular-route authority as to packinghouse products and dairy products into corresponding irregular-route authority. By petition filed April 6, 1967, applicant submitted additional information indicating that it did not intend to convert to irregular-route authority that portion of its regular-route authority from Denver to Pueblo, Colo., but that through inadvertance such intention was not brought to the attention of the Commission, or interested parties, at the time of filing such applications; therefore, applicant seeks modification of certificate No. MC 125722 (Sub-No. 1), dated June 1, 1965, so as additionally to authorize the transportation, over regular routes, of packinghouse products and dairy products, from Denver, Colo., to Pueblo, Colo., over U.S. Highway 85, serving the intermediate point of Colorado Springs, Colo.

A Supplemental Order of the Commission, Operating Rights Board No. 1, dated May 9, 1967, and served May 15, 1967, as modified, finds that while regular-route authority is sought in the subject petition, a grant of irregular-route authority as set forth below would be more appropriate in the present circumstances and in view of the limited commodities sought to be transported; compare *Transportation Activities, Brady Transfer & Storage Co.*, 47 M.C.C. 23; and *Motor Common Carriers of Property—Routes and Service*, 88 M.C.C. 415. That certificate No. MC 125722 (Sub-No. 1), dated June 1, 1965, be, and it is hereby, modified, by adding at Sheet 2, after the restriction appearing at lines 15–18 thereof, the following: *Packinghouse products and dairy products*, (1) from Denver, Colo., to Colorado Springs, and Pueblo, Colo., and (2) from Colorado Springs, Colo., to Pueblo, Colo.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the above-described applications, may have an interest in and would be prejudiced by the lack of proper notice of the modification of said certificate in this order, a notice of such modification will be published in the FEDERAL REGISTER and issuance of a modified certificate will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

No. MC 42487 (Sub-No. 578) (Notice of Filing of Petition for Interpretation of Certificate), filed April 25, 1967. Petitioner: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, Menlo Park, Calif. Petitioner's representatives: Eugene T. Liipfert and Ronald B. Natalie, 1035 Universal Building North, 1875 Connecticut Avenue NW., Washington, D.C. 20009. Petitioner states that it holds authority to transport general commodities, in No. MC 42487 Sub 578 Part B which reads, in part, "Between Evansville, Ind., and Vincennes, Ind., serving no intermediate points, from Evansville over U.S. Highway 41 to Vincennes and return over the same route." The regular route authority is subject to the following restriction: "Service is not authorized * * * (2) between points in Indiana * * *." Also contained in Sub 578, Part B, is a route between Boston and St. Louis, Mo., with Vincennes as an intermediate point. Petitioner states that it holds no authority at Evansville other than that described. Thus, the only way in which it can serve Evansville is by operating over the Vincennes-Evansville route which dead ends at Evansville; that the restriction against service between points in Indiana precludes the origination or delivery of Evansville traffic at Vincennes, as well as the interchange of Evansville traffic at Vincennes; and that if, however, the restriction is read as precluding as well the tacking of the Evansville-Vincennes route, at Vincennes, to the Boston-St. Louis route of petitioner, the former route becomes meaningless and cannot be used for any purpose. By the instant petition, petitioner requests the Commission determine that the restriction in Part B of its Sub 578 does not preclude tacking of its Evansville-Vincennes route at Vincennes and that it may transport traffic to and from Evansville under the same conditions as it may to and from Vincennes. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 59264 (Petition for reopening of Proceeding and for Clarification and further Amendment of Petitioner's Certificate of Public Convenience and Necessity), filed April 17, 1967. Petitioner: SMITH & SOLOMON TRUCKING COMPANY, a corporation, How Lane, New Brunswick, N.J. Petitioner's representatives: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005, and Edward A. Martin, 1001 15th Street, NW., Washington, D.C. 20005. Petitioner states it presently holds authority in certificate No. MC 59264, one segment of said certificate which reads as follows: "Ordnance and quartermaster supplies, subject to certain restrictions, for U.S. Government only, between Raritan Arsenal, Nixon, N.J., and points in Philadelphia County, Pa., on the one hand, and, on the other, all military posts, forts, and reservations, naval bases, and ports of embarkation in New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Maine, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia." Petitioner further states that since the grant of this segment in its original grandfather authority in a certificate issued March 21, 1941, continuous efforts were made by petitioner and resultant action taken by the Commission to revise and perfect the language of this segment so as to carry out the original purpose and intent under changed and changing circumstances and conditions, so as to enable petitioner to operate a full, complete, and responsive service in implementation of the public need for its specialized service and operation as to ordnance and quartermaster supplies.

The situation involving transportation of ordnance and quartermaster supplies in the area involved in the interest of the U.S. Government has again changed very drastically. The Raritan, N.J., Arsenal has been abandoned and is no longer a Government facility, and many of the former military forts, posts, and reservations have been changed or discontinued. The production and handling of the commodities concerned is now handled primarily through commercial facilities, although the basic interest of the Government remains and has a need that the same type service be performed. Petitioner's present certificate restrictions are inconsistent with its effective handling of such traffic under these changed circumstances. The purpose of the instant petition is to request that the pertinent segment of its operating authority in MC 59264, issued September 18, 1962, be amended to read: "*Ordnance and quartermaster supplies*, between Nixon, N.J., and points in Philadelphia County, Pa., on the one hand, and, on the other, points in New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Maine, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia." NOTE: The petition is accompanied by a verified letter from the Department of the Army, Headquarters U.S. Army Materiel Command, dated March 29, 1967, and a verified statement by Leon Smith, President of Petitioner, both, in support of a change to conform to the new conditions. Any person desiring to participate, may file an original

and six copies of his written representations, views, or argument in support of, or against, the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9748. Authority sought for control and merger by GRAFF TRUCKING COMPANY, INC., 2110 Lake Street, Kalamazoo, Mich. 49005, of the operating rights and property of BELL MOTOR FREIGHT, INC., 2135 Olmstead Road, Kalamazoo, Mich. 49001, and for acquisition by THOMAS B. WOODWORTH, SR., U Avenue, West, Schoolcraft, Mich., and FREDERICK J. BUCKHOUT, 5803 North 16th Street, Kalamazoo, Mich., of control of such rights and property through the transaction. Applicants' attorneys: John M. Veale, 1 Woodward Avenue, Detroit, Mich. 48226, and Leonard D. Verdier, Jr., 1 Vanderberg Center, Grand Rapids, Mich. 49502. Operating rights sought to be controlled and merged: *General commodities*, except those of unusual value, and except dangerous explosives, intoxicating beverages, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier*, over regular routes, between Chicago, Ill., and Grand Rapids, Mich., serving all intermediate and the off-route point of Fennville, Mich.; commodities as specified above, for operating convenience only, between Grand Rapids, Mich., to Benton Harbor, Mich., serving no intermediate points; *paper, paper products*, and *paper manufacturing machinery and parts thereof*, and *paper mill supplies*, over irregular routes, between points in Michigan on and west of U.S. Highway 27 and on and south of U.S. Highway 16, on the one hand, and, on the other, certain specified points in Ohio, and Huntington, W. Va., points in Indiana on and east of U.S. Highway 31 and on and north of U.S. Highway 52, and certain specified points in Ohio, and those in Ohio and Kentucky within 10 miles of Cincinnati, Ohio; *paper labels*, from Cincinnati, Ohio, to Sparta, Mich.; *printing paper*, from Watervliet, Mich., to Blanchester, Ohio; *magazines*, from Dayton and Springfield, Ohio, to Sparta, Mich., and certain specified points in Michigan; *jute, jute fiber*, and *carpet cushion linings*, from Franklin, Ohio, to points in that portion of Indiana lying on and north of U.S. Highway 52 from the Indiana-Ohio State line to Indianapolis, Ind., on and east of U.S. Highway 31 from Indianapolis to Peru, Ind., and south of U.S. Highway 24 from Peru to the Indiana-Ohio State line, including points on the designated portions of the highways above described except Indianapolis and Peru, Ind., and points on U.S. Highway 24; and *propellers*, from Piqua, Ohio, to points in Michigan on and west of U.S. Highway 27, and on and south of U.S. Highway 16. GRAFF TRUCKING COMPANY, INC., is authorized to operate as a *common carrier* in Michigan, Kentucky, Missouri, Iowa, Indiana, Illinois, Ohio, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9749. Authority sought for purchase by JOE HODGES TRANSPORTATION CORPORATION, Post Office Box 82397, Oklahoma City, Okla., of a portion of the operating rights of LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Post Office Box 82488, Oklahoma City, Okla., and for acquisition by GEORGE T. PEW, 231 Chisholm Hill Road, Haverford, Pa., of control of such rights through the purchase. Applicants' attorneys: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex., and Richard H. Champlin, Post Office Box 82488, Oklahoma City, Okla. Operating rights sought to be transferred: *General commodities*, except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, as a *common carrier*, over regular routes, between Lawton, Okla., and Wichita Falls, Tex. Vendee is authorized to operate as a *common carrier* in Oklahoma and Texas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9750. Authority sought for (1) control and merger by KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, 2125 Commercial Street, Waterloo, Iowa, of the operating rights and property of ARROW MOTOR FREIGHT LINE, INC., 498 First Avenue NW., New Brighton, Minn., and (2) purchase by TAKIN BROS. FREIGHT LINE, INC., Post Office Box 5000, 2125 Commercial Street, Waterloo, Iowa, of a portion of the operating rights of ARROW MOTOR FREIGHT LINE, INC., 498 First Avenue NW., New Brighton, Minn., and for acquisition by ALLEN E. KROBLIN, MILDRED E. KROBLIN, both of 104 Lillian Lane, Waterloo, Iowa, and LOYAL H. FRISCH, 3018 West Ninth Street, Waterloo, Iowa, of control of such rights and property through the transaction. Applicants' attorneys: Stockton, Lewis and Mitchell, The 1650 Grant Street Building, Denver, Colo. 80203. Operating rights sought to be (1) controlled and merged and (2) transferred: (1) *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, from points in Black Hawk County, Iowa, to Waterloo, Iowa, from Waterloo, Iowa, to certain specified points in Iowa; *malt beverages*, from Minneapolis, Minn., and La Crosse, Wis., to certain specified points in Iowa; *household goods* as defined by the Commission, between certain specified points in Iowa, on the one hand, and, on the other, points in Iowa, Illinois, Minnesota, and Wisconsin; and *meats, meat products, and meat byproducts* and *articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk), from Waterloo and Columbus Junction, Iowa, to points in Minnesota, with restrictions; and (2) *general commodities*, excepting, among others household goods and commodities in bulk, as a *common carrier*, over irregular routes, between Waterloo and Oelwein, Iowa, on the one hand, and, on the other, Minneapolis and St. Paul, Minn., between St. Paul, Minn., on the one hand, and, on the other, South St. Paul and Newport, Minn., between certain specified points in Minnesota. KROBLIN REFRIGERATED XPRESS, INC., is authorized to operate as a *common carrier* in New York, Illinois, Iowa, Michigan, Florida, New Jersey, Ohio, Pennsylvania, Oklahoma, California, Wisconsin, Kansas, Virginia, Nebraska, Minnesota, Colorado, Maryland, Massachusetts, South Carolina, Texas, Missouri, Indiana, Arkansas, Delaware, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, West Virginia, North Dakota, Alabama, Tennessee, South Dakota, Louisiana, Mississippi, Kentucky, Wyoming, North Carolina, and the District of Columbia; and TAKIN BROS. FREIGHT LINE, INC., is authorized to operate as a *common carrier* in all points in the United States (excepting Colorado, Idaho, Montana, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming). Application has been filed for temporary authority under section 210a(b). NOTE: MC-87909 Sub-No. 9 is a matter directly related.

No. MC-F-9751. Authority sought for purchase by HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102, of a portion of the operating rights of A-P-A TRANSPORT CORP., 2110 85th Street, North Bergen, N.J. 07047, and for acquisition by S. H. MITCHELL, also of Winston-Salem, N.C., of control of such rights through the purchase. Applicants' attorneys and representative, respectively: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006, Herbert Burstein, 160 Broadway, New York, N.Y. 10038, and Frank C. Philips, Post Office Box 612, Winston-Salem, N.C. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in Union County, N.J., on the one hand, and, on the other, points in New York east and south of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 7 to the New York-Vermont State line, including points on the indicated portion of the highway specified. Vendee is authorized to operate as a *common carrier* in Georgia, South Carolina, North Carolina, Virginia, Michigan, Ohio, Indiana, Illinois, Maryland, New York, Pennsylvania, New Jersey, West Virginia, Massachusetts, Rhode Island, Florida, Delaware, Missouri, Wisconsin,

Kentucky, Alabama, Connecticut, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9752. Authority sought for purchase by DEAN VAN LINES, INC., 18420 South Santa Fe Avenue, Post Office Box 923, Long Beach, Calif. 90801, of the operating rights of PERRY MOVING & STORAGE, INC., 14 West Roy Street, Seattle, Wash. 98109, and for acquisition by DEAN VAN & STORAGE, INC., and DEAN INVESTMENT CO. and, in turn by A. E. DEAN, all also of Long Beach, Calif., of control of such rights through the purchase. Applicants' attorneys and representative: Axelrod, Goodman, and Steiner, 39 South La Salle Street, Chicago, Ill. 60603 and Phelix Woempner, 14 West Roy Street, Seattle, Wash. 98109. Operating rights sought to be transferred: *Household goods* as defined by the Commission, as a *common carrier* over irregular routes between Seattle, Wash., and points within 25 miles of Seattle, on the one hand, and, on the other, points in Washington, Oregon, and Idaho. Vendee is authorized to operate as a *common carrier* in Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, Wyoming, Maine, New Hampshire, Vermont, Alabama, Florida, Mississippi, Arizona, California, Nevada, Utah, Montana, Idaho, Oregon, Washington, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9753. Authority sought for purchase by WEATHERS BROS. TRANSFER CO., INC., 2728 Northeast Freeway, Northeast, Atlanta, Ga. 30329, of the operating rights of SWIFT VAN AND STORAGE CO., 5200 South Topeka Boulevard, Topeka, Kans., and for acquisition by R. L. WEATHERS, MRS. W. W. WEATHERS, MRS. GLORIA DOBBS, all also of Atlanta, Ga., and L. W. WEATHERS, 1268 Druid Park Avenue, Augusta, Ga., of control of such rights through the purchase. Applicants' attorney: Robert J. Gallagher, 66 Central Street, Wellesley, Mass. 02181. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier* over irregular routes, between Overland, Mo., and points within 35 miles of Overland, on the one hand, and, on the other, points in Missouri, Illinois, Minnesota, Michigan, Mississippi, Indiana, Ohio, Tennessee, Pennsylvania, Arkansas, Iowa, Colorado, Kansas, Kentucky, and New Jersey, between points in Missouri and Illinois, on the one hand, and, on the other, points in Missouri, Illinois, Kansas, Michigan, Ohio, Texas, Oklahoma, Pennsylvania, Arkansas, Iowa, Tennessee, Indiana, Wisconsin, Alabama, Kentucky, and Nebraska, between Overland, Mo., and points in that part of Missouri and Illinois within 35 miles of Overland, on the one hand, and, on the other, points in Florida, Georgia, Louisiana, New York, and the District of Columbia, between points in Missouri, except Overland, Mo., and points in Missouri within 35 miles of Overland, on the one hand, and, on the other, points in Minnesota, Mississippi, Colorado, New Jersey, Florida, Georgia, Louisiana, New York, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in Georgia, Alabama, Arkansas, Delaware, Florida, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, Connecticut, Tennessee, West Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-5772; Filed, May 23, 1967; 8:49 a.m.]

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